

Defence revolt looms

King defies criticism by anxious Tory MPs

By PHILIP WEBSTER, CHIEF POLITICAL CORRESPONDENT

TOM King, the defence secretary, claimed last night that he was cutting the armed forces by less than the reduction in Britain's military commitments.

Faced by anxious backbench critics of his cuts, he spelled out for the first time the reasoning behind his changed strategy.

Mr King said that the commitments the regular infantry would be required to meet after 1997 would be cut by one third. This resulted from a reduction of seven battalions in the British Army of the Rhine, three as a result of the run-down of the Berlin garrison, and a further four in Hong Kong.

He told the Commons that the increased warning time for an attack from Eastern Europe meant that five of the regular battalions committed to home defence could be replaced by

the Territorial Army, making a total reduction of 19 battalions. However, only 17 would go, providing two additional battalions for the proposed Nato rapid reaction corps.

In a rebuff to the campaigners who marched to the Commons yesterday to hand in a petition against the planned cuts, Mr King refused to give any ground. He told Conservative MPs that while he accepted plans to reduce the regiments had caused sadness and difficulties, there had to be a significant response to changes in Eastern Europe.

The defence secretary, who was opening a two-day Commons debate, was interrupted frequently by Tory MPs concerned about the impact of the cuts in their constituencies. Ann Winterton, MP for Congleton, said many MPs were dissatisfied by the work of the Army Board, which had ignored its own criteria in choosing the regiments to be affected. The Cheshire regiment was one of the best recruited in the Prince of Wales division and it retained its recruits, as did the Staffordshire. They should not, she said, be amalgamated.

Mr King said he recognised that there was scepticism in the army about whether a smaller force would be able to meet its commitments. "We still have a lot to do to make people understand what the consequences and implications are of the changed scene."

The government will today try to defuse a rebellion at the end of the debate by outlining details of a resettlement package to help servicemen and women get into the civilian housing market. The Ministry of Defence has drawn up a deal with a leading building society to give them preferential mortgage treatment, thought to be 1 per cent lower than the standard rate.

Mr King also confirmed a substantial reduction in Britain's nuclear freefall bombs. He said that the WE177 bombs would come to the end of their safe and effective life at the end of the century. "Following a recent review, I can tell you we shall be making a substantial reduction in the numbers in coming years, as part of the overall cut in Nato's air delivered stockpile that I expect to be announced later this week at the Nuclear Planning Group."

He also made clear that he deplored the leaking of the letter sent to him by General Sir John Chapple, chief of the general staff, criticising the cuts. Mr King spoke of the "disloyalty and disservice" to General Chapple of leaking the letter. The general had, he said, expressed the scepticism within the army that "smaller" could mean "better".

"We took that advice very seriously," Mr King said. "We have a major challenge in front of us."

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First-hand witnesses: J.C. Alvarez, Nancy Fitch, Diane Holt and Phyllis Berry Myers are sworn in before testifying for Judge Thomas yesterday

Voyeurs tune in to a modern martyrdom

Disgust, shock, horror, outrage and sorrow. Americans are professing all of these reactions after four days of the epic psychodrama entitled either The Ordeal of Anita Hill or The Martyrdom of Clarence Thomas, depending on your point of view. But while indignation may be running high, so has the level of fascination.

Not since the Watergate hearings of 1973 have so many millions of voyeurs been so glued to the tube or so fixed on a single topic of conversation. Not even Oliver North's testimony in the Iran-contra affair came close in thrill value.

Half the entire television sets in the country were tuned in to the duelling testimonies on Friday night. CBS television could hardly collect a viewer's quorum for its normally popular football championship match. At the weekend, crowds gathered around sets in shopping centres, in bars and cinema queues, spontaneous disputes erupted over the key question: did he or didn't he?

For a reporter returning to America after three weeks

The US judiciary committee completed its examination of Supreme Court nominee Judge Clarence Thomas in the early hours of yesterday morning. Today the full Senate will vote. From New York, Charles Bremner assesses the fall-out for the constitutional process and American society

away, it was like landing in the middle of some appalling family scandal, but one that riveted everyone from teenagers to maiden aunts. Indeed, even the toddlers were catered for, when Peter Jennings, the avuncular anchorman of ABC News, came on to brief young viewers expecting the usual Saturday morning fare of cartoons and puppets. "We have been watching a woman who's a lawyer, and a man who's a judge, have a very painful disagreement about something the woman says the man did to her when they were working together," Mr Jennings said.

"Though he never touched her, she says he said many things to her which were mean and disgusting, which made her feel threatened and really bad... by the way, you may hear some not-very-nice language," he said. In spite of

this caution, Mr Jennings did not get into bestiality, Coke cans or the adventures of "Long Dong Silver", a character who has become something of a folk anti-hero on the smutty side of the street.

Video-rental shops have been besieged by customers seeking the infamous porn tapes cited by Ms Hill in her testimony. USA Today, which like every newspaper has devoted multiple-page sections to every facet of the hearings, advised readers that the film was nowhere to be found.

It is easy to understand the fixation. No screenwriter or novelist could have devised a plot in which so many of America's current complexes intersect so inexorably with eternal human themes. It is about sex, lies and honour and old-fash-

ioned American prudery; it has compressed into explosive form the more recent mania for constitutional rights, courtroom drama and the new thinking, many would say taboos, on race and sexual politics that has emerged over the past two decades.

And it has high comedy, moments such as the one when Senator Edward Kennedy, of all people, intoned solemnly: "I hope we can clear this room of the dirt and innuendo." But no Hollywood writer would have wanted to invent the Thomas case, because there is likely to be no resolution, no moment of truth.

But while the senators may still be agonising, as a viewing event — and most of American life has become such — a verdict has been reached. According to opinion polls, twice as many viewers believed the judge than they did Ms Hill. 54 per cent want the judge in the Supreme Court. More women than men, but still a minority, believe Ms Hill.

While the high-minded have been lamenting over the fall-out for constitutional process and American society, for most people the excruciating aspect of the lurid Senate spectacle is its failure to provide any moral conclusion. With no hard evidence, no middle ground and a pair of equally plausible protagonists, the viewers have been forced to fall back on simple prejudice or

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Janet Daley, page 18



Anita Hill: opinion polls are running against her

TODAY IN THE TIMES

OLD STAGERS



Janet Suzman as Phaidra in *Hippolytos*, one of many classic plays to grace the West End — at the expense, it is argued, of new drama. Benedict Nightingale reviews the state of British theatre Page 17

BAREFACED CHIC



Jean Muir's shapes, colours and implacable chic have won her one of Liz Smith's personal awards to some of the London Fashion Week designers Page 16

S-MAN



Walter Greaves, of Mercedes-Benz, is a happy man. His new S-class (from £40,000) is one of the stars of the London Motorfair, opening tomorrow. Special Report, pages 32-37

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Nobel peace prize gives Burma hope

FROM NEIL KELLY IN BANGKOK AND TONY SAMSTAG IN OSLO

THE symbol of Burma's struggle for democracy, Daw Aung San Suu Kyi, who has been under house arrest for two and a quarter years, yesterday won the Nobel peace prize.

Daw Suu Kyi, a slim, elegant woman of 46, whose government has not been allowed to take office despite a landslide victory in the elections of 1990, is believed to have heard of her award by means of her only contact with the outside world, her short-wave radio.

"This is the best news we have had for a long time," said a lawyer in Rangoon. "It must make a difference. Not even the Burmese military can ignore the message conveyed by the Nobel prize."

In its citation, the Norwegian Nobel committee identified Suu Kyi's "non-violent struggle for democracy and human rights" in her homeland as "one of the most



Suu Kyi: learnt of prize on her short-wave radio

Croatia aid convoy forced to turn back

FROM ANNE McELVOY IN ZAGREB AND GEORGE BROCK IN THE HAGUE

THE European Community's aid convoy to the besieged town of Vukovar in eastern Croatia was yesterday forced to turn back on the brink of reaching its goal.

It was the fourth attempt in five days to relieve the town, which has been surrounded and under bombardment by federal army forces for 52 days. Several hours after the convoy was due to move into the town centre, the procession of vehicles bearing Red Cross and EC symbols turned round and headed back to nearby Vinkovci for the night.

The thwarted aid attempt came as the president of Serbia, Slobodan Milosevic, and the Croat leader, Franjo Tudjman, prepared for meetings with President Gorbachev in Moscow today. And in The Hague, the EC peace conference on Yugoslavia summoned the presidents of

all the country's republics to a meeting on Friday. Foreign ministers of the six republics met Lord Carrington in The Hague yesterday but made no progress towards solving their differences.

On the outskirts of Vukovar, the army insisted on searching the aid convoy vehicles when they tried to go into the town yesterday morning. Then the Croatian command refused to let its forces retreat the hundred yards from their lines required for a safe stand-off. EC observers with the convoy confirmed that the army had insisted that the lorries take a different route to that agreed earlier, while the Croat forces believed this to be a trap to allow the army to sweep over their lines in the wake of the procession.

The spokesman for the EC monitors, Simon Smits, Continued on page 24, col 5

Unmarried father wins say in child's future

By FRANCES GIBBS
LEGAL AFFAIRS CORRESPONDENT

LEGAL history was made by an unmarried father yesterday when he became the first person under the new Children Act to claim the right for his 15-month old daughter to grow up with two parents.

The 32-year-old London property consultant father had fought for the right to have a say in the future of his daughter. He maintained that his former girl friend, aged 36, had tried to shut him out of the child's life and bring her up in a single-parent environment.

However, on the day the Children Act 1989 became law, Judge Owen in the High Court family division

granted the father's application for "parental responsibility and generous amount of contact".

The new terms replace the old parental rights and access orders and the child's mother was given residence, the nearest order under the new act to the old order of care and control. So, while she remains with the mother, the father will still play an important part in her upbringing.

He said as he left court after a day-long private hearing: "I am very happy with the outcome. I will be able to see a lot of my daughter as she grows up. I agree with the judge when he said this new law is for the child. It doesn't matter whether the parents are married or not." The child was a

ward of court and the parents have not been named to protect her.

Yesterday, the Families Need Fathers organisation held a demonstration outside the High Court. A spokesman said: "This vigil is a tribute to the victims of the outgoing law. The Children Act will undoubtedly be the start of a new age. But the old law has passed on a legacy of over a million children who will ask for the truth about their estranged parent."

The new law is said to be fairer for children, insisting that both parents must retain joint responsibility for the child's future, whether they are married or not. It recognises the unmarried father's relationship with his

child and his responsibilities to the child. The old notion that one parent has custody to the exclusion of the other is abolished.

The father said last night: "This is a legal first. It will go down in the history books of family law. Basically the judge has insisted on using the terms of the new act and he has given me all I asked for. He made it clear that the fact we are not married made no difference and said he wanted his order to be the starting point from which we can achieve equal responsibilities for our daughter. The judge was very keen to use the new act as far as possible."

Law Times, pages 39, 41

Major limits BR fare increase to 7%

By NICHOLAS WOOD AND MICHAEL DYNES

BRITISH Rail and London Transport will today announce an average 7 per cent increase in passenger fares after John Major, the prime minister, stepped in to prevent even higher increases.

In a move designed to bolster the authority of the citizen's charter, John Major and Malcolm Rifkind, the transport secretary, have insisted that the 7 per cent increase should be linked to improvements in the quality of rail services.

BR has been told that where trains are regularly late, overcrowded or cancelled, increases should be kept below 7 per cent. The prime minister has also objected to BR's plans for "premium" increases above the average on some lines that have benefited from new investment.

Rail managers have been told that promises are not enough. Improvements must be seen to be delivered before the government will sanction above-average fare rises. The fares announcement was delayed until after the Conservative party conference at the request of transport ministers.

Rail managers insist, however, that any decline in income from passenger fares as a result of Mr Major's intervention will lead to a reduction in the investment funds needed to improve services in the long-term.

Mr Major's intervention will be welcomed by Conservative MPs representing seats in the London commuter belt. Rises above the current 4.1 per cent rate of inflation will come into effect in January, and some Tory MPs fear an electoral backlash in the run up to polling day.

During talks with senior BR managers, Mr Major singled out proposed increases on the Chiltern line between London, Aylesbury and Banbury. The route has benefited from a £75 million investment scheme but there have been delays in the delivery of trains.

It is understood that Mr Major objected to BR's plan for a "premium" fare rise until passengers saw the fruits of the new investment. He also told BR to concede below-average increases on the London, Tilbury and Southend line because of poor performance.

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NHS locked into political cycle, says staff director

By JILL SHERMAN, SOCIAL SERVICES CORRESPONDENT

HEALTH service managers have had to implement reforms more quickly than they would have liked in order to fit in with the five-year parliamentary term, a senior health official said yesterday.

Eric Caines, National Health Service director of personnel, said that change was made more difficult by having to operate in a political cycle. "We do not have the opportunity to take as long as we like to implement a changed process. We are operating between one election and another," said Mr Caines, at a health department conference to launch a new management strategy. "People are having to learn an enormous range of new disciplines very quickly," he added.

Mr Caines was responding to questions about financial problems arising because hospitals are treating more patients but money is not following the patient. Inflexible block contracts drawn up with health authorities at the beginning of the year have proved insensitive to patient numbers and the complexity of treatment needed.

Mr Caines held out the prospect of higher pay for senior managers as part of a move towards greater local pay flexibility. He suggested that national pay scales would gradually become redundant as districts gave staff a greater proportion of performance-related pay.

Under the national system, managers can earn up to 20 per cent more in performance-related pay over five years, with a maximum of 8 per cent per year, subject to a limit of 3.6 per cent on their pay bill. In the private sector, however, many managers earn up to 25 per cent of their salary through

performance bonuses. Mr Caines admitted that in some areas there could be significant salary increases. Trusts would inevitably lead the way as they already had the statutory freedom to set their own pay rates, he said.

NHS managers now earn between £26,000 and £70,530 in basic pay, with a maximum of £85,000 if bonus payments are included. Some NHS trusts have already set higher rates, with at least one chief executive on a reported £90,000.

Most hospitals applying to become self-governing trusts are supported by a majority of consultants, according to a survey published by the British Medical Association last night. However, it claimed that opposition from senior staff was so strong in others that it would be "unwise for the applications to be approved".

The survey of potential second wave trusts showed that a majority of consultants favoured the change at 22 hospitals, but opposed it in 18.

The chairman of the BMA's consultants' committee, Mr John Chawner, told a news conference in London that many consultants were under strong pressure to accept trust status. He said doctors in Liverpool were told they would not get a new obstetric and gynaecological unit unless they voted for trust status. "Surprise, surprise, they all voted for trust status," he said. Later this week, William Waldegrave, the health secretary, is expected to announce the go-ahead for most of the 113 hospitals that have applied for trust status in the second wave.

War of words, page 8

Illustrators to picket auction of classic covers

By SARAH JANE CHECKLAND
ART MARKET CORRESPONDENT

BONHAMS will be picketed by illustrators of such literary classics as *The Thirty Nine Steps* and *Casino Royale* during its auction of original art work from Pan Books in London today.

The illustrators claim that although Pan owned the licence to reproduce the images before selling them, it did not own the original drawings, which remain the possession of the artists. They would either like the art work back, or a share of the proceeds, which could reach £60,000 for 30 lots.

Leaflets will be handed out by nine artists accompanied by Tony Bowen-Davies, the art director at Pan who commissioned the works, most of which were first published in the Fifties and Sixties.

"People who buy these works of art may be at risk because legal ownership is far from clear," said Mark Stephens, a solicitor for the Association of Illustrators, which has organised the protest. "They could find themselves having to give up the art works."

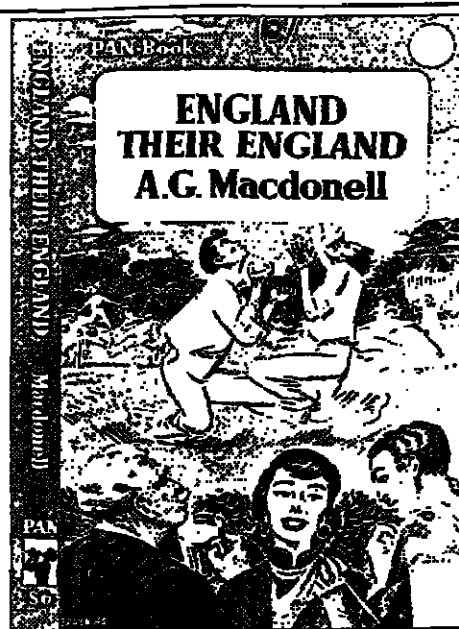
Christopher Elweys, managing director of Bonhams, said: "If there is a genuine problem over title, the illustrators will have to sort it out with Pan."

Martin Neild, marketing director for Pan, said the material had accumulated over a long time in the company's basement. "The current studio chief did try to make every effort to locate artists ten years ago and couldn't track them down, so this art work stayed in the basement."

Recently, it was decided to clear the basement, and further attempts were made to track down the artists, which failed, with only one artist coming forward. Pan says the situation has been made clear to Bonhams.

The images for sale, which were used for paperback covers, include the 1949 cover for A.G. Macdonell's *England Their England*, illustrated by Oliver Brabbin; the 1950 edition of Ernest Hemingway's *Fiesta*; and the 1947 edition of John Buchan's *The Thirty Nine Steps*. Estimates go up to £2,500. The artists include Sam Peffer, Patrick Owen and Edward Mortelmann.

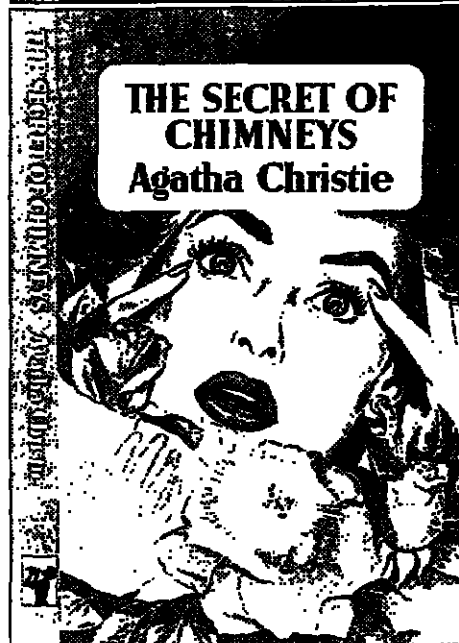
Whereas in the advertising industry trade practice is that art work becomes the property of an agency, the case is less clear with book illustrations because the material can be regarded as art, therefore having a market value.



ENGLAND THEIR ENGLAND
A.G. Macdonell



CASINO ROYALE
Ian Fleming



THE SECRET OF CHIMNEYS
Agatha Christie



ENGLAND MADE ME
Graham Greene

Cover prices: some of the 30 book illustrations expected to fetch £60,000 at auction

General offers an alternative savings plan

By MICHAEL EVANS
DEFENCE CORRESPONDENT

THE leader of a campaign against the planned army cuts accused the government yesterday of a serious miscalculation and offered his own alternatives for saving money. Lieutenant-General Sir John MacMillan, commander in Scotland until he retired in March this year, called for the cancellation of the govern-

ment's plan to buy a tactical nuclear missile for the RAF, and said the Foreign Office should pay for keeping Gurkha battalions in the army, instead of the Ministry of Defence. The savings would help the defence ministry to keep more infantry battalions in the army than the 38 proposed by Tom King, the defence secretary. There are currently 55 battalions. Sir

John, chairman of the Keep Our Scottish Battalions campaign, who delivered a petition with nearly one million signatures to parliament yesterday, said: "Do we need to spend a fortune on a sub-strategic system (a 350-mile range tactical missile) which will be a second ticket to Armageddon?"

The government plans to buy a tactical missile for Tornado bombers to replace the old free-fall bombs. The estimated cost of buying a tactical missile system has ranged from £1 billion to £3 billion.

Sir John's reference to the Gurkhas echoes the complaint of many senior retired officers

who have questioned whether it is right to keep the Gurkhas at the expense of British infantry battalions. Under the government's plans, the present five Gurkha battalions are to be reduced to two.

Sir John said the retention of Gurkha battalions in the proposed smaller British army was largely for the benefit of the Foreign Office. "So they should pick up the tab," he said.

The petition by the Scottish regiments which face amalgamations between the King's Own Scottish Borderers and the Royal Scots, and between the Queen's Own Highlanders and the Gordon Highlanders, was handed over a few hours

before the beginning of the Commons annual defence debate.

John Home Robertson, Labour MP for East Lothian and another leading figure in the campaign, accused Tom King, the defence secretary, of imposing "reckless and malicious" cuts on Scottish regiments. He said the planned cuts would overstretch the armed forces and stressed it was "sheer hubbub" for Mr King to duck responsibility by claiming the cuts were decided by the Army Board.

"There are four army generals on the Army Board but they are out-gunned by the five Tory ministers including the board's chairman, Mr King himself," he said.

The campaigners received a boost over the weekend by the leaking of an internal memorandum to Mr King from General Sir John Chapple, chief of the general staff, who said that the army did not believe that the cuts were workable.

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No support: the Parrotts outside their new home

Family cut off in battle for survival

Redundancies threaten the army but soldiers are ill-equipped for life on civvy street, reports Paul Wilkinson

MICK Parrott served the colours loyally and with skill and efficiency for 22 years. He ended his service with the Royal Tank Regiment last December, aged 42, as a sergeant.

But on the streets of south Yorkshire where he now lives, those two decades count for little in the hunt for scarce work. For his wife Yvonne, a sheltered life in married quarters with the Army of the Rhine was poor preparation for recession-hit Britain.

Since he returned to civvy street Mick has applied for 74 jobs, getting just three interviews. The last sent him on a training course with Norwich Union insurance as a financial adviser, but there were more candidates than jobs available and he is not hopeful.

"Even today in this enlightened world, employers see people like me as fit only for square bashing. I have few paper qualifications, but they take no account of the management skills I have acquired over 20 years," he said.

The Parrotts planned their departure from the army with military efficiency. Mick transferred to a stores job to gather skills he thought would be useful "outside", and they decided to buy their retirement bungalow in south Yorkshire because it was within striking distance of several industrial centres.

But they had no concept of the conditions awaiting them. "It was bad enough that I was competing for jobs with closing steel works and pits, but there was the added disadvantage that the army had not prepared me for skilled or qualified work," he said.

Nor had the military prepared his wife for real life. "In the army the regimental family looks after you, but once outside there is nothing, no support, no help," said Yvonne. "Someone like myself, who has followed her husband wherever his job took him - we spent 17 years in Germany - has no idea of what life is really like outside."

She is working as a counsellor with other service wives for the charity the Soldiers' Sailors' and Airmen's Families Association which is attempting to combat the problem.

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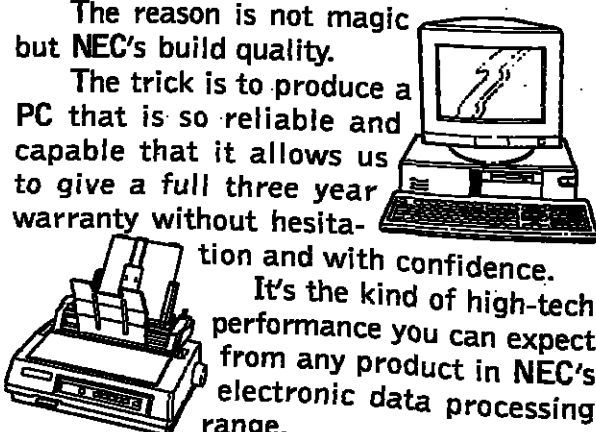
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دکتران و اساتید

Dowager, 78, denies ten charges of race hatred

By MICHAEL HORSNELL

ANTI-JEWISH leaflets intended to stir up racial hatred were distributed by the septuagenarian Dowager Lady Birdwood, the Central Criminal Court was told yesterday.

One of them described the Holocaust as the "Holoboa" and urged readers to write to the Archbishop of York opposing a tribute to 150 Jews murdered by a Christian mob in the city 800 years ago while another suggested Jews had murdered Christian children in ritual sacrifices.

Lady Birdwood, aged 78, who has chosen to defend herself, denies ten charges of distributing or possessing thousands of "threatening, abusive or insulting leaflets" between April and December last year.

David Paget, for the prosecution, said: "This case is to do with race hatred. It concerns the distribution by Lady Birdwood last year of anti-Jewish leaflets and of her possession of further anti-Jewish leaflets in quantities consistent with intent to distribute."

He added: "The intention of Lady Birdwood in distributing them and of the people who wrote them — it is not suggested she wrote them — must have been to stir up hatred against Jews." Lady Birdwood allegedly told police she be-

lieved the Zionist element of the Jewish race was masterminding a multiracial invasion of Britain, Mr Paget said.

She ran two organisations from her home in Acton, west London. One was called Choice, whose aim was to oppose multiracialism. The second, English Solidarity, was a mass pressure group opposed to multiracialism.

Mr Paget said that in April last year Lady Birdwood posted 1,500 copies of a leaflet entitled *The Slides of March* to various MPs and people listed in the *Church of England Year Book*. One was received by a woman in Lancashire, who was a member of the synod and complained to police.

On its front page was a photocopy of an article which appeared in *The Guardian* headed "Tribute to Murdered Jews" which described how Christians and Jews in York were to hold commemorative services to mark the murder of 150 Jews by a Christian mob in the city in 1190.

The leaflet described this as "Christian self abasement" and went on to cite alleged instances of massacres by Jews against other races. The leaflet gave Lady Birdwood's name and address, and that of the Association of British Ex-Servicemen with an address in Kent.

Mr Paget said that when police interviewed Lady Birdwood in May last year she denied writing one article in the leaflet and refused to say who had but admitted distributing the leaflet. She told police that Zionists had a "complete stranglehold" on communications, TV, radio and the press.

Mr Paget said more leaflets were distributed in the Westminster area after Lady Birdwood was interviewed by police. "These must have been distributed either by her herself or on her behalf."

The case continues today.



Dowager Lady Birdwood: conducting own defence

Baggage door on 737 opens

By HARVEY ELLIOTT
AIR CORRESPONDENT

A BOEING 737 with 88 passengers made an emergency landing at Heathrow airport after an engine exploded on take off. The aircraft was found to have its front cargo door open.

Lufthansa flight LH 1629 bound for Hanover had reached 1,000ft as it took off from Heathrow. The pilot heard a bang and a warning light indicated that the right hand engine had stalled. He immediately requested a landing back at Heathrow and put the aircraft down safely.

Engineers found, however, that the front cargo door had sprung from its locking catches and was flapping open. Had this happened higher than 1,000ft the aircraft would have depressurised.

At first it was thought that luggage from the hold had been sucked out after the failure of the door and that a suitcase had been blown by the slipstream into the engine, thus causing the bang and the engine failure the pilot had reported.

Investigators counted all the suitcases and found, however, that there were still 92 on board: exactly the number loaded. There was no sign of damage to the engine caused by anything from the hold.

Air accident investigators are working on the theory that the engine failure on October 5 somehow sent a vibration through the aircraft, which released a weakened door catch, causing it to come loose and allow the door to fly open.

They have so far discovered that the door had been closed properly before take off and that there was no indication of any problem with it before or during take off. If, however, it is proved that the engine failure somehow triggered the door's opening the investigators are almost certain to recommend changes to the design of Boeing 737-200 cargo doors to ensure that they remain shut, whatever strains the rest of the aircraft is under.



High and dry: national champion Paula Arnold, aged 38, of the British sand yachting team, gets a wheel airborne in training on the beach at Lytham St Annes, Lancashire



Crown asked for gunman to be kept in custody

By PETER DAVENPORT

TWO magistrates who granted bail to Derek Wallbanks, a persistent criminal with a record including manslaughter and attempted murder, ignored a prosecution application that he should be detained in custody, it was disclosed yesterday.

A spokeswoman for the Crown Prosecution Service said that they had asked for him to be kept in prison and had made all the facts of the case and his antecedents known to the court. Wallbanks was shot dead by police at the weekend after a seven-hour siege on Tyneside. He was armed with a handgun and had fired several shots at officers surrounding the bungalow where he had been hiding.

Doug Henderson, the Labour MP for Newcastle upon Tyne North, yesterday urged the home secretary to hold an enquiry into why Wallbanks was allowed his freedom. The incident happened five weeks after Wallbanks was released on conditional bail by magistrates in Newcastle upon Tyne when he appeared on firearms charges. Police and MPs have severely criticised the decision to allow him to go free.

Yesterday one of the magistrates who heard the case, William Hoggard, a member

of the bench for 25 years, said: "I genuinely can't remember this man at all. I can't remember if we heard his previous convictions or not. One has so many cases to hear on a particular day."

His colleague on the bench when Wallbanks appeared was William Lowry. Yesterday he was believed to be on holiday in Cyprus.

The shooting of Wallbanks is now the subject of an enquiry by the Police Complaints Commission and is headed by Geoffrey Fawcett, assistant chief constable of Cumbria.

Wallbanks, aged 40, of Consett, Co. Durham, had a long history of violent crime including convictions for manslaughter, the attempted murder of a policeman and several armed robberies. He had also escaped from custody on several occasions.

He was arrested in June this year for conspiracy to rob and firearms offences. He made several court appearances at which he was remanded in custody with applications for bail being resisted by the Crown Prosecution Service.

At the last hearing, on September 4, the CPS asked for the conspiracy charge to be dropped because of insufficient evidence but Wallbanks still faced additional charges of stealing a car,

possessing a shotgun without a firearms certificate and possessing a firearm when prohibited.

Malcolm Gray, a spokesman for the CPS, said yesterday: "Derek Wallbanks made a further application for bail to the magistrates which was opposed by a senior member of the CPS. The court granted bail subject to a number of conditions."

The conditions were that he had to live with his adoptive parents in Consett, report to the police daily and observe a 7pm to 7am curfew. He soon breached the conditions to go on the run and police eventually tracked him to an old people's bungalow in the village of Brunswick, where his girlfriend was staying with her elderly mother.

Pit bull terriers 'found in blood-spattered arena'

POLICE and an RSPCA investigation unit who raided a remote country cottage found two ferocious American pit bull terriers in a blood-spattered arena in the white-washed cellar of the house, a court was told yesterday (Peter Davenport writes).

Moments earlier a crowd of spectators had abandoned the cellar as the officers forced their way in at the end of a carefully planned, two day operation. Harrogate magistrates were told. Once inside, the RSPCA unit filmed the scarred and injured dogs as they recovered from a fight.

The film, which was shown to the court yesterday, revealed an array of syringes, antibiotics, bandages and other medicines for treating the injured animals, sticks for forcing open the dogs' power-

ful jaws and buckets of warm water treated with antiseptic in each corner of a makeshift fighting pit made with a ladder and upturned table.

One of the dogs was seen bleeding heavily from a gash under one eye and the other was breathless and suffering from several bite wounds.

Michael Burns, aged 40, and Charles Pounder, aged 29, both of Hartlepool, Cleveland, and Maxwell Harper, aged 32, of Ripon, North Yorkshire, pleaded not guilty to being present at the dogfight in October last year. Mr Harper also pleaded not guilty to permitting the dogfight at Mulberry Cottage, Nidd, near Knaresborough, and to procuring dogs for fighting.

Alan Pickard, for the prosecution, said that when police raided the cottage Mr

Harper, who had rented it, said he was on his own and later claimed he did not know how the other men got there.

"It's inconceivable that with the dogs in the house Harper did not know what was going on. He could not even explain how the other men had arrived there," Mr Pickard said.

Police found Mr Burns and Mr Pounder trying to hide in an upstairs bedroom. Mr Pickard said: "One of them was found in bed with his boots on and the other was trying to get into a wardrobe."

Seven men were arrested as a result of the joint police and RSPCA operation. Four have already been dealt with by magistrates.

The hearing, which is expected to last four days, continues today.

Recession hits solicitors

By FRANCES GIBB, LEGAL AFFAIRS CORRESPONDENT

THE market for legal services is booming and the solicitors' profession in England and Wales is predicted to bring in £5,169 million gross in fees for 1990-91, a 16 per cent rise on last year, according to the annual Law Society statistics published today.

However the slump is beginning to bite: the report says that in real terms, solicitors' gross fees may have declined because they have been outstripped by the rise in the cost of overheads. At the same time, the report shows a fall in the level of increase in fees, particularly in the South (outside London) where fees have risen more slowly than inflation.

The society attributes the decline in fees in part to the slump in the housebuying market. The total estimated number of conveyancing transactions in 1989 was 1.6 million, a 26 per cent fall on the number in 1988.

In London business was booming last year. Firms in the capital experienced the biggest rise in turnover, 22 per cent, between March last year and this. However the report warns that London law firms are now reporting a decline in the commercial property market, which has lagged behind the housing slump.

When it comes to gross fees per solicitor, these rose on average by 13 per cent last year to £64,300 and are predicted to rise by 14 per cent in 1990/91 to £73,500.

However as solicitors' overheads last year are thought to have risen by 14 per cent, the report says "this suggests a decline in gross fees in real terms".

One reason for the rise in

gross fees (before deductions for overheads and salaries) is the growth in legal business, the report says. The profession is expanding to meet this growing workload: between 1985 and 1990, the number of firms increased by seven per cent, and staff levels within those firms rose by 20 per cent between 1986 and 1990 alone.

"Once account is taken of the growth in the size of the profession, and the effects of inflation on solicitors' overheads, it becomes apparent that there may be no real growth in the average level of gross fees."

Law Times, pages 39, 41

The Law Society's Annual Statistic Report 1991 (The Law Society Shop, 227-228 The Strand, London WC2R 1BA; £15.50)

Memory man rings a new challenge

By TIM JONES

CREIGHTON Herbert James Carvello is not alone in thinking that *pi* is boring. Along with thousands of schoolchildren, he has begun to question the usefulness of knowing the ratio of the circumference of a circle to its diameter and believes that memorising telephone numbers is much more exciting.

The difference between Mr Carvello, a psychiatric nurse from Middlesbrough, and almost every schoolchild in the world is that he can recite the true value of *pi* to 20,013 places, a feat that took him nine hours and 10 minutes, to become the world record holder. The sequence begins with 3.141592653589 and probably goes on for ever.

Disheartened perhaps by the fact that Hidetaki Tomoyori of Japan — where else? — stole his record with a 40,000

place rendition, Mr Carvello is reading through telephone books in an effort to win the first world memory championships, to be held at the Athenaeum Club, London, on October 26.

The event is not for the faint hearted. Bhandanta Viciusara has recited 16,000 pages of Buddhist canonical texts while George Uhrin, of Houston, Texas, has memorised on a single sighting a random sequence of 30 separate packs of cards shuffled together.

When telephoned, Mr Carvello claimed people did not run away when he went for a drink at his local. "Quite the reverse, they come up to me to chat. I ask them their name and address then give them their telephone number."

While considering whether to set up in opposition to the BT directory enquiry service, Mr Carvello can also reel off every player who has played in

the FA Cup final since the competition started more than a century ago.

The contest has been organised by Tony Buzan, whose IQ of 200 on the Cattell scale makes him an official genius. Psychologist, poet, author and adviser to the British Olympic rowing squad, Mr Buzan believes the achievements of the mind deserve to be recognised alongside more obvious sporting successes. What is the point of it all? "It is a bit like aerobics. Although you do not move a lot you go a long way. The mind is the great playground of life and must not be abused."

Spectators will not actually have to listen to the likes of Mr Carvello reciting numbers for nine hours or more. He or she will merely have to claim a record and if others disagree will have to face the humiliation of being proved wrong in a public demonstration.

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"HEAR THE OTHER SIDE?"

ST. AUGUSTINE

EDITORIAL

Financial Post

Court favours free commercial speech

Federal law banning cigarette ads violates charter rights to free speech and is an unwarranted intrusion on the right to receive information over the regulation of advertising, according to the ruling of the Quebec Superior Court.

It's easy to say but difficult to do.

When fundamental freedoms are at stake it's particularly vital to hear the other side.

Brussels is proposing, right now, to ban tobacco advertising in Europe.

Despite the fact that there are good grounds for rejecting any such ban.

In a judgement delivered at the end of July, a Canadian court ruled that there was no proven connection between tobacco advertising and overall tobacco consumption. And no proof that banning advertising reduces consumption.

In fact, the Court struck down Canada's tobacco advertising ban as

TOBACCO

Canadian judge overrules tobacco ad ban
From Ed Stettin in New York
A Canadian judge has overturned the country's 11-year-old law banning cigarette advertising.

Marketing

Canadian tobacco ad ban overruled
By Richard Simon
in Toronto
A CANADIAN COURT

Financial Times 29.7.91

"a form of censorship and social engineering which is incompatible with the very essence of a free and democratic society."

Brussels should hear the other side.

TOBACCO ADVISORY COUNCIL
Hear the other side

Cultural trends

Recession puts brakes on cinema boom

By SIMON TAIT, ARTS CORRESPONDENT

VIDEO rentals fell for the first time last year and the rate of increase in cinema admissions slowed, probably as a result of the recession, according to a cultural trends survey by the Policy Studies Institute.

There were 98 million cinema attendances last year worth £265 million at the box office, and two million more visits than 1989, but the boom appears to be slowing down. In 1989 there had been an increase of 12 million visits over the previous year.

Although there has been a marked downturn of 5.5 per

cent in video rentals — 374 million last year compared with 396 million in 1989 — the value when combined with sales of pre-recorded cassettes was still almost £890 million, £30 million more than in 1989.

The survey says various factors are likely to have contributed to the fall in video rentals. Firstly, 1989 was exceptional with the volume of rentals increasing by 14 per cent over 1988. Secondly, the take up of satellite movie channels appears to have had an influence.

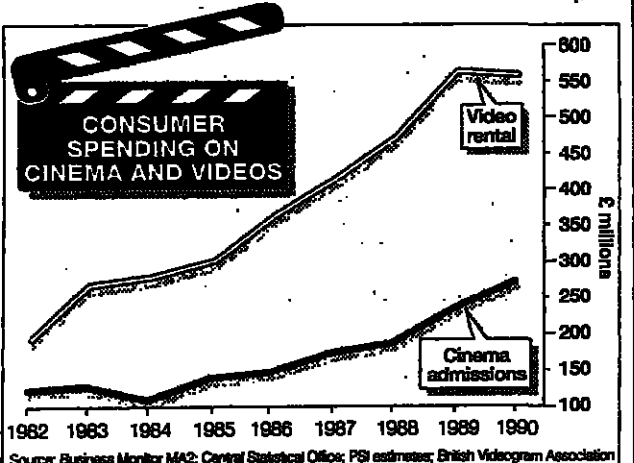
A survey in April of 206 homes with satellite television found that 60 per cent of those with a video recorder rented two or more videos a week before subscribing to the movie channel, compared with 5 per cent after becoming subscribers. Movie channel subscribers also made fewer cinema visits.

The cost of a cinema ticket rose this year to more than double that of hiring a cassette: £3.17 compared with £1.57, while last year it was £2.70 and £1.51 respectively.

Cultural Trends 10, (Policy Studies Institute, 100 Park Village East, London, NW1 3SR; £12.25)

Box office gross (£m)	
17,270	Ghost
11,991	Pretty Woman
10,117	Look Who's Talking
9,385	Honey, I Shrunk the Kids
8,508	Total Recall
8,301	Ghostbusters II
7,998	Back to the Future: Part III
7,419	Gramercy II: The New Batch
7,252	Back to the Future: Part II
7,000	When Harry Met Sally
6,418	Shirley Valentine
6,078	Parenthood
5,796	The War of the Roses
5,588	Dick Tracy
5,531	Die Hard 2: Die Harder
5,169	Presumed Innocent
4,818	Memphis Belle
4,104	The Little Mermaid
4,039	Turner and Hooch
3,708	Bird on a Wire

Sources: Screen International. Figures cover period December 1989 to December 1990.



Unions are warned by Ford

By KEVIN EASON, MOTORING CORRESPONDENT

FORD yesterday countered a demand by union leaders for wage increases of 7 per cent for 29,000 manual workers with a warning about the "perilous state" of the British motor industry.

Leaders of seven main unions presented a 20-page claim, which includes a demand for a reduction in the working week by at least two hours and substantial increases in pensions. Jack Adams, the chief union negotiator, said the claim was "realistic and reasonable" because unions recognised the problems of the car industry. The submission to management says that in spite of the drop in sales of the past two years, Ford remained in a relatively strong position.

However, John Hougham, Ford's executive personnel director, said when the two sides met for more than an hour in London that the company made a pre-tax loss of £247 million in 1990 — its first loss for 20 years — and sales fell by 17 per cent compared with 1989.

□ Vauxhall yesterday put an end to showroom haggling by slashing the profits made by the company's 585 dealers on the new Astra. The company has told dealers their margins will be cut from 17 to 10 per cent, allowing lower list prices and preventing customers asking for further discounts on the Astra, which starts at £8,499. The car market is swamped with cut-price deals led by Ford, which is discounting some Escort and Orion models by up to £800.

Car firms search for new fuels

By OUR MOTORING CORRESPONDENT

CAR makers are getting ready to comply with stricter anti-pollution laws by testing a wide variety of new fuels, from a gas whose by-product is water to alcohol more than twice the strength of whisky.

New MoT laws from November 1 will require cars over three years old to be checked for emissions as well as faulty bodywork, lights and tyres. Output of carbon monoxide will be limited to a maximum of 4.5 per cent, although a draft directive from the EC is proposing a limit of 3.5 per cent by 1996.

Tomorrow at the London Motorfair, Ford will show off a new range of engines capable of running on alcohol. In Britain the engines will be run mainly on petrol, but Ford's engineers say that they could run on 15 per cent alcohol with only minor adjustments.

Research by Volkswagen shows that carbon dioxide emissions from a 1.8-litre engine using methanol would be 40 per cent less than a conventional petrol engine with catalyst.

BMW has successfully tested cars powered by hydrogen giving a performance about 70 per cent as good as petrol power. The only by-product from the tailpipe is water. But hydrogen requires a bulky refrigeration unit in the boot of the car, and alcohol produced from sugar cane becomes uneconomic once used away from a hot climate able to produce the amounts needed.

Motorfair, pages 32-37



Tight fit: Suzi Faithful, left, Pat Goddard and Susan Smith of the massed bands of the Royal Air Force, make last-minute preparations at RAF Uxbridge for the first leg of this year's nationwide tour of Britain

Squad set up to hunt sectarian murder gangs

By PETER VICTOR

THE RUC has set up a special unit to hunt down gangs who carry out sectarian murders in Ulster.

The announcement was made yesterday as two of the latest victims of tit-for-tat killings were buried and Peter Brooke, the Northern Ireland secretary, reiterated the government's determination to see that political ends would not be achieved "out of the barrel of a gun".

The RUC's new initiative is in addition to the work of detectives investigating each republican and Loyalist revenge killing. So far this year, 66 people have been murdered in Ulster: 51 were civilians, the vast majority shot by paramilitaries.

Loyalist gunmen have been blamed for 29 sectarian murders, while republican groups are alleged to have killed nine people they claim were Loyalist terrorists.

Harry Ward, a Protestant who was shot dead by the republican IPLO in a bar in west Belfast's Shankill Road last Thursday, and Hugh

Magee, a Catholic taxi driver murdered by Loyalists a few hours later, were buried yesterday. Both families had pleaded with the gunmen for an end to the revenge killings, but on Sunday Karl Hone, aged 33, a Catholic and father of four, was shot dead as he walked home after an evening drinking with friends.

In a speech to businessmen at the Rotary Club in Enniskillen, Co Fermanagh, Mr Brooke attacked both sides of the paramilitary divide. "Both are equally bereft of any shred of moral or political justification for what they do."

Cardinal Cahal Daly, the Roman Catholic primate, yesterday said that Northern Ireland might be descending into something "more sinister than we have known since the early 1970s". People were terrified in their homes, in the streets and at what had become "killing points". Any kind of idealism which either side may have had simply deteriorated into "a welter of real vendetta-style gang warfare".



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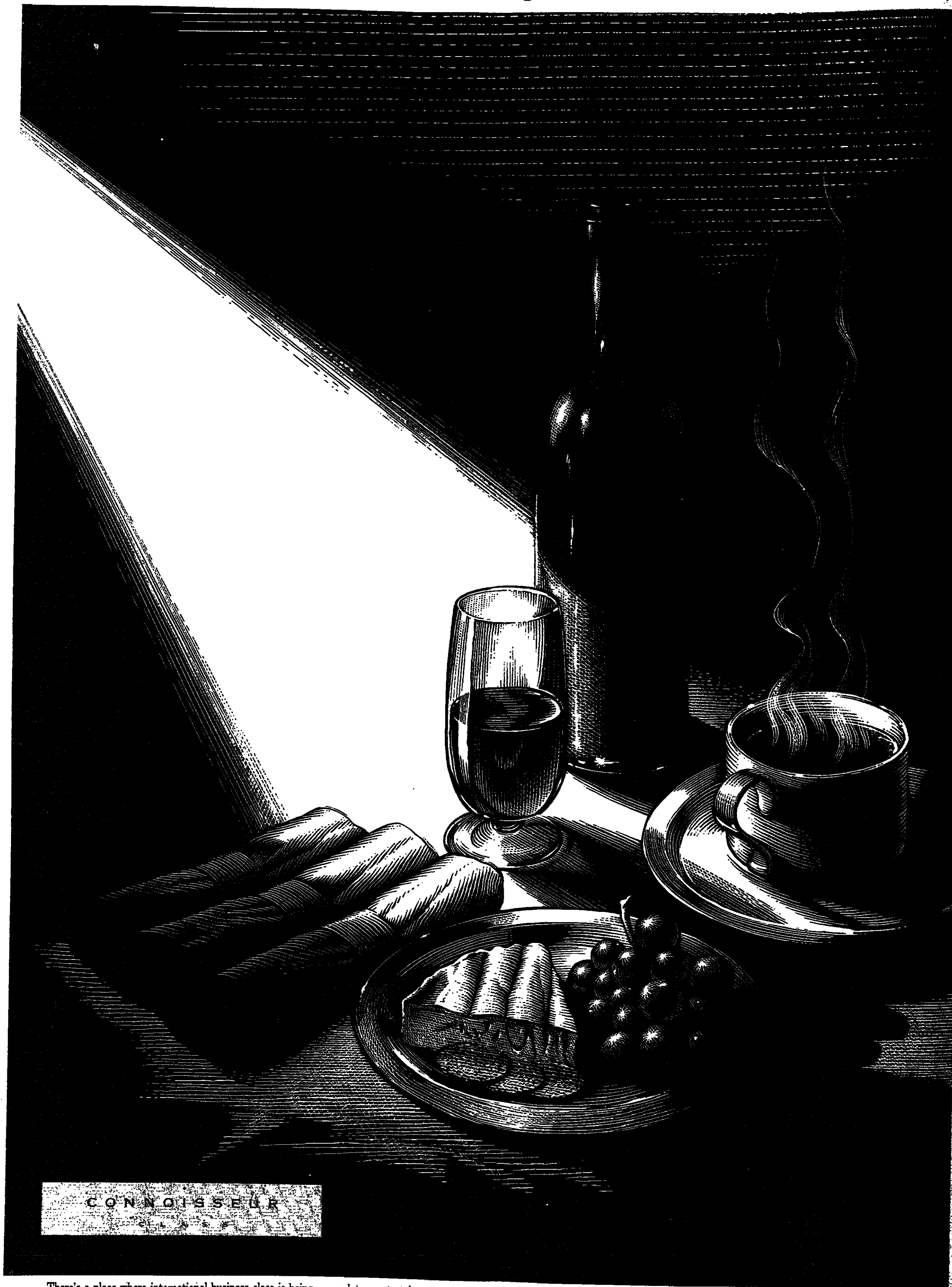
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SPONSOR



School heads launch performance guide for staff pay awards

By DAVID TYTLER, EDUCATION EDITOR

HEADTEACHERS and their staff should be carefully judged on their performance, with an annual rating ranging from exceptional to barely effective, said the country's largest headteachers' association yesterday.

David Hart, general secretary of the 31,000-strong National Association of Head-

teachers, said that the government's insistence on extra pay for the good teacher and head could only work if there was an acceptable way of judging performance. An efficient system monitoring performance against agreed aims would also raise educational standards, he said.

"Schools have to take con-

trol of their own destiny and raise standards. If they don't, they can't complain if others, particularly politicians, step in and impose their own solutions," Mr Hart said. The association has published *The Performance Management Guide*, to be used by governors, heads, senior school managers and local education authorities alongside the statutory appraisal introduced this September.

Under the scheme, everybody in the school would be asked to agree a plan for their work during the year, monitor it and be appraised annually. The result could be used to reward the head or teacher either with increased pay or a "non cash" reward such as a prize, extra training or new responsibilities.

The association believes that performance pay can be damaging and divisive in the staff room if it is not introduced carefully. "We do not believe that the Teacher's Pay Review Body should introduce any more performance related pay until the generality of teachers are paid a decent salary for a responsible job, which they are not at the moment," Mr Hart said.

"The government must be made to realise they are riding for a fall if they fail to produce sufficient cash. Heads and governors will become increasingly disillusioned if they have to raid other parts of their budgets which might be used for books and equipment, to meet increased salaries."

About 100 heads are on formal performance related pay agreements, mostly in the London boroughs of Kensington and Chelsea and Westminster, earning up to 10 per cent more than their basic rates. Salary for the head of a small primary school is about £23,500; a large primary school, £25,000; secondary heads are paid between £28,000 and £41,000 with most earning around £35,000.

Guinness revels in a record of note

By DAVID YOUNG

WERE there a category for the most successful book for settling arguments, bringing gasps of amazement and guffaws of amusement, then *The Guinness Book of Records* would be in that section in *The Guinness Book of Records*.

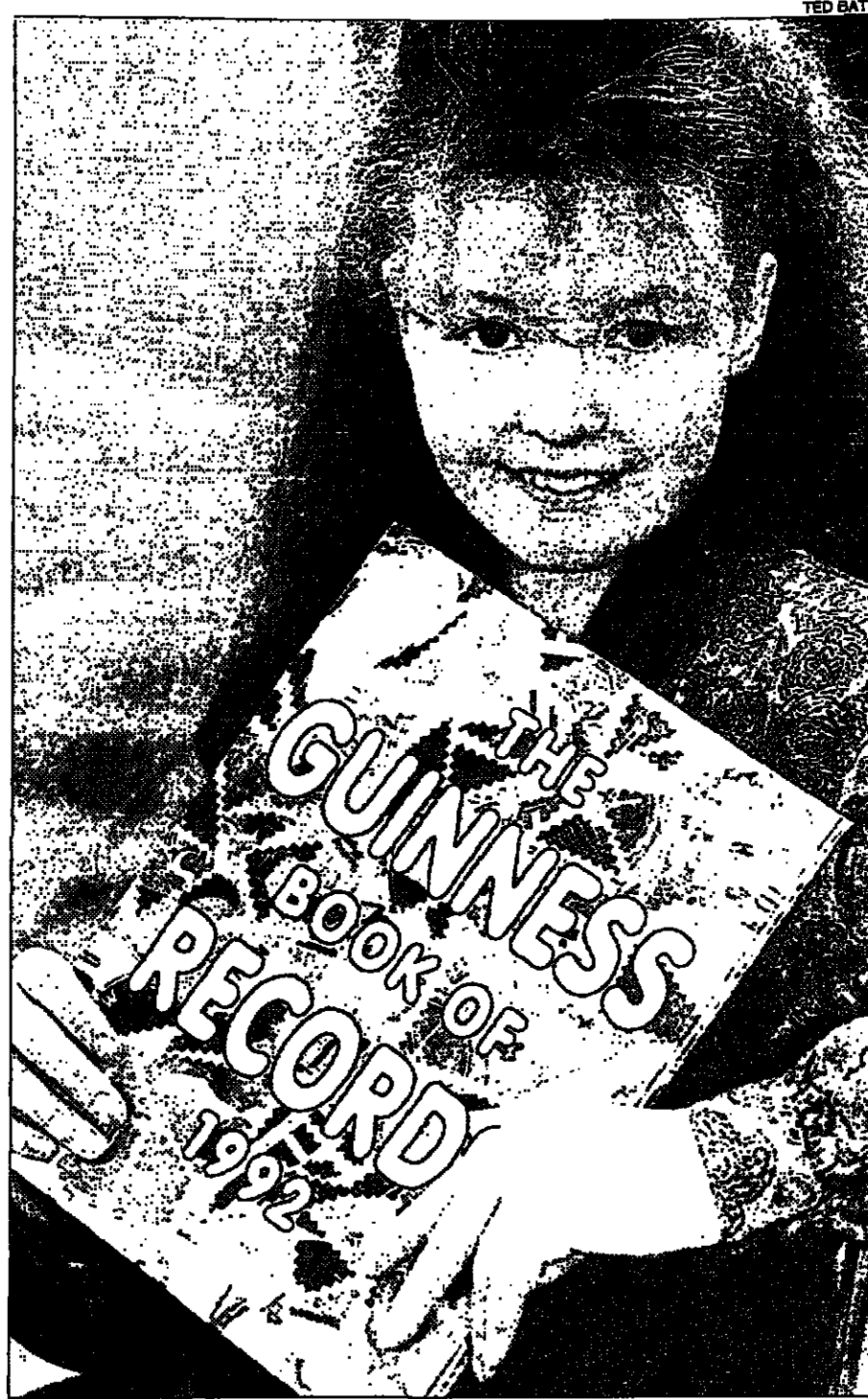
As it is, the book earns an entry as the top-selling copyright book in publishing history with sales to date of 23.9 million. The volume has now been published in its 38th annual edition and sells in 36 languages. Total sales would make 168 stacks each as high as Everest.

The latest edition was launched yesterday at London zoo, where George Psarries of the Olive Tree restaurant in Leeds, who made the world's longest kebab at 1,065ft 11in, eyed the buffet cocktail sausages with disdain, and Phil Evans, of Merthyr Cynog, Powys, who sheared 817 sheep in one session, cast a professional eye over some of the woolier inmates.

Britain's tallest man, Christopher Greener, was able to use his 7ft 6¼in to full effect for a visit to the giraffes while Peter Hill, Joseph Hill, Rob Jones and John Drew, of Tipton, Staffordshire, showed the form that earned them a place as Britain's best pub visitors to add to their 3,800 tally by supping a few in the zoo bar.

Screaming Lord Sutch, in the book as the loser of his deposit at 31 by-elections, was there attempting to buy votes with joke £1 notes and assuring the animals that his leopard-skin suit was as fake as the money. It was all so much fun that Melvyn Switzer, of Totton, Hampshire, remained awake and was unable to demonstrate his 87.5 decibel snore.

Norris McWhirter, who with his late brother Ross produced the first edition in August 1955 and saw it top the book sales league table by Christmas that year, said:



Best artist: Joanne Bloomer, aged 14, with her winning design for the 1992 cover

"Each year there are records being broken and new records being made. The only European country it isn't available in is Albania and that should soon change."

Its publication was suggested by Sir Hugh Beaver, the then managing director of Guinness. He had been out shooting on the North

Slob in County Wexford in 1951 when some golden plover easily evaded the guns and started a debate as to which was the fastest, the plover or the red grouse.

Sir Hugh decided that there should be a book which would pull all the facts together and could answer the questions debated nightly in the 81,400 pubs

where Guinness was sold. The first edition gave him the answer: the red grouse has been recorded at 58.63mph while the golden plover is thought to be incapable of exceeding 59.55mph even in an emergency, such as when flying over guns on the North Slob.

Leading article, page 19

Driver in crash to be paid £4.8m

By FRANCES GIBB
LEGAL AFFAIRS
CORRESPONDENT

A LORRY driver whose life was devastated by road crash injuries was awarded High Court damages yesterday in a structured settlement expected to amount to £4.8 million in investment income if he lives, as predicted, for the next 40 years.

The award, in contrast to that of £1.1 million yesterday to a five-year-old girl whose life was ruined by a hospital blunder, highlights the benefits of structured settlements.

The girl, Alexandra Mulligan, who cannot walk, talk or do anything for herself, could have been awarded ten times the £1.1 million or more, depending on how long she lived, under a structured settlement. The deputy judge, Alan Tyrrell, QC, agreed her case be adjourned to seek the necessary Treasury approval.

Structured settlements are an increasingly popular way of awarding damages in place of the traditional lump sum. For the victim, it means the damages are paid in stages to provide a tax-free income for life without having to invest a lump sum.

Alexandra, who suffered lack of oxygen at birth, causing brain damage and cerebral palsy, is cared for by her parents Avril and Michael Mulligan at their home near Leeds. Merton and Sutton health authority, which offered the £1.1 million, admitted liability for negligence at St. Helier Hospital, Carshalton, Surrey, in April 1986.

Michael Brent, QC, the girl's counsel, said that the £1.1 million would prove inadequate if she lived beyond 30. A structured settlement would give her a tax-free income for life of some £50,000 a year.

The lorry driver awarded £4.8 million was Anthony Moore, aged 34, of Winchcombe, Gloucestershire, who was left brain damaged, blind in one eye and partly deaf by an accident in December 1982 in which his truck was struck by another lorry.

Poly asks tutors to fund scholarships

By JOHN O'LEARY, HIGHER EDUCATION CORRESPONDENT

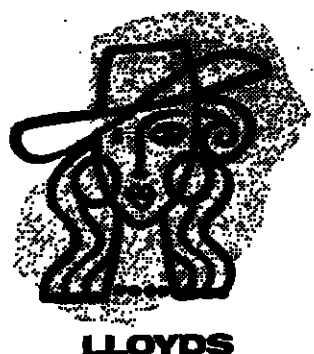
POLYTECHNIC lecturers have been asked to contribute to a fund for professors' wages and student scholarships. The appeal has angered some staff at Hatfield Polytechnic because it coincides with measures to tackle a projected £1 million deficit.

Neil Buxton, Hatfield's director, has written to all the staff asking them to contribute to the polytechnic development campaign, which has already attracted £125,000 from local businessmen.

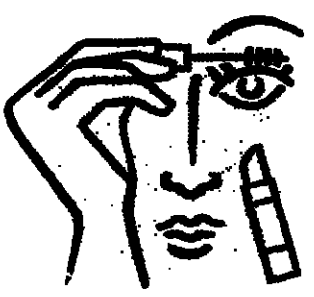
"We must demonstrate our own commitment if we are to succeed in attracting further donations from outside," he said in the letter which included a covenant form. He

said that there had been no pressure on staff to contribute. Some senior staff have already contributed to the fund which is to pay for laboratories, professorships, bursaries and environmental improvements to the campus. The campaign aims to raise £1.5 million.

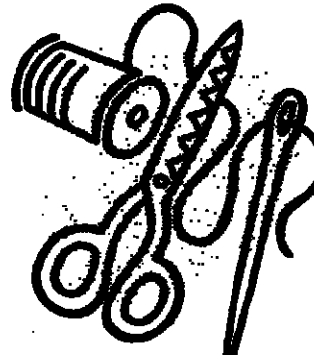
Bruce Christianson, of the polytechnic branch of the National Association of Teachers in Further and Higher Education, said: "We already support the polytechnic financially, including paying our taxes and selling our time at substantially below the market rate." He said staff were being asked to support essential services.



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Unaccustomed as we are to anything more daring than pinstripes and brogues, Lloyds Bank is nevertheless one of the country's biggest sponsors of fashion.

And this year, for the first time, in association with the British Fashion Council, there were the Lloyds Bank British Fashion Awards.

The Awards were the climax of the London Fashion Week as well as being one of the highlights of the British fashion year.

And last night the winners stepped up to the podium at the Awards Ceremony at the Duke of York's Headquarters situated appropriately enough in the King's Road, Chelsea.

Tonight, the highlights are scheduled to be shown on BBC-1 at 8.00pm.

We'd like to congratulate them all.

Call us old-fashioned, but it's no more than they deserve.



Cuts leave Britain with good defences, minister insists

By OUR PARLIAMENTARY STAFF

TOM King sought yesterday to reassure Conservative backbenchers and military leaders that reductions in Britain's forces, particularly the Army, still left the country able to defend its interests.

He rejected allegations that reductions were being made in a headlong rush or that the size of the army had been worked out on the back of an envelope.

Mr King, opening the annual two-day debate on the defence estimates, reviewed the international events of the past 12 months, including the attempted coup in Moscow and the invasion and liberation of Kuwait. He said that the Warsaw pact had ceased to exist; there had been a huge reduction of Soviet forces and thousands of Soviet troops had been withdrawn from Russia's former satellite countries.

There were increasing pressures on the Soviet Union to reduce its forces further and the Group of Seven had made clear that economic support would not be forthcoming if it were to be used for further expansion of the Russian Army and military equipment. President Bush's offer to cut nuclear weapons and President Gorbachev's response were positive developments.

Stephen Day, Conservative MP for Cheadle, said that there was concern on the

ARMED FORCES

Conservative benches because none of these developments could have been anticipated at the time of the defence review.

Mr King replied that events had gone further than anticipated. The government had taken nothing for granted and took nothing on trust in the assumptions made in Options for Change. He said that by the year 2000 it was expected that a many countries would have ballistic missiles and more would certainly have nuclear weapons.

He pointed to Iraq to illustrate the point and went on to outline the lessons learnt from that conflict. He promised a more detailed assessment at a later date. The first lesson that came through was the need for governments to co-ordinate their objectives. There had been debate about whether the coalition should have gone beyond the liberation of Kuwait. But MPs should remember the challenge posed by maintaining the unity of the coalition.

The Soviet Union still had considerable forces, although the front line was 600 miles further back behind the Urals. They had to bear in mind that control of those forces could fall into the wrong hands. They also had to be mindful of local conflicts and ready to

meet aggression whether it threatened Britain and her allies, or more widely where the United Nations needed to act.

Although there was no longer a risk of surprise attack from the Soviet Union, while she and other countries still possessed nuclear weapons the United Kingdom needed them too. This meant Britain needed the four-boat Trident force.

There had been criticism that changes were being made in a headlong rush, but they were being phased over a period and some would not happen until 1994. Many might feel that the approach was too cautious.

The further challenge was that the army might become too small, while others felt that the wrong regiments had been chosen for change. There had been an implication, on the size of the army, that he and his team had gone into a corner and got out an envelope, putting down the number that occurred to them. That showed little understanding of the structure within the defence ministry for taking those decisions.

The responsibility of the defence staff was to give advice to him, and he took full responsibility for his decisions, but he had made them on good advice and against a number of considerations. The reality was that the three



Protest march: members of the Keep Our Scottish Battalions campaign gather at Westminster yesterday before presenting their petition to Parliament in the hope of persuading ministers that proposed defence cuts will affect Scotland disproportionately. Defence debate, page 1

services would all like to be bigger, but at no time, contrary to some mischievous suggestions, had he said that the army board had proposed the reductions.

He would not comment on the incredible disloyalty involved in leaking the letter from the chief of defence staff, or selections from it.

That letter had contained genuine and honest advice to him about the situation in the

army, faced with difficult changes. The suggestion was that the phrase about it being a smaller but better army might be a con trick. He and his ministers had taken that advice very seriously.

"It is our determination to ensure that that it is smaller but better, but the army as the other services, was entitled to say 'We have had promises before and have had re-

organisations and it was going to be wonderful'."

Opening for the Opposition, Martin O'Neill, defence spokesman, said that there was a tendency among ministers to suggest that Labour was less than total in its support of the Gulf operations, but he repudiated that charge.

He questioned why ministers could not reveal the detailed criteria behind the

cuts and added of Mr King: "Service morale has suffered and will continue to suffer as a result of his refusal to come forward with a proper explanation of government policy."

He said that a senior army officer had told him that a regiment was being sent to Northern Ireland 100 men short.

Leading article, page 19
Letters, page 19

Major attack on BBC has a long pedigree

By RICHARD FORD, POLITICAL CORRESPONDENT

JOHN Major's vehement criticism of the BBC's news coverage of last week's Conservative party conference has a long pedigree. Ever since politicians came to realise that television was the key medium of mass communication, there has been tension and sporadic open warfare.

Sir Anthony Eden raged against the BBC during the Suez crisis. The Tories were unhappy at the satirical programme *That Was The Week That Was* for its crude attacks on ministers in the Sixties. Harold Wilson would rail against the corporation. Iain Macleod, the late Tory politician who is now emerging as the mentor for several in Mr Major's cabinet, criticised BBC political programmes for their sustained hostility towards the Conservatives.

James Callaghan proposed reform of the corporation that would have inserted supervisory boards appointed by the Home Office into the BBC's management structure. Under Margaret Thatcher, the BBC was attacked for its coverage of the Falklands conflict and the bombing of Libya.

Others, however, saw Mr

THE MEDIA

Major's criticism and Chris Patten's recommendation that Conservative supporters "jam the switchboards" of broadcasting organisations as proof that the Tories' public relations effort still has room for improvement.

"What is happening is that pressure on the BBC has become part of the pre-election campaign," said Joe Haines, press secretary to Harold Wilson in the late Sixties and mid-Seventies.

Although Lord Wilson of Rievaulx was the first prime minister to enter 10



Thatcher: Falklands war coverage criticised

Downing Street with a reputation as a skilled television performer, his years in office were punctuated by a number of rows with both the BBC, and to a lesser extent, with independent television. The disagreements included arrangements for broadcasts and editorial decisions. Like Mr Major, he attacked the BBC for its coverage of the 1965 Labour party conference.

Under Mrs Thatcher, the Tories did little to conceal their belief that the BBC news and current affairs programmes were run by people of a left-wing persuasion. With the Labour party in turmoil, the BBC and the Church were seen by many Conservatives as the opposition.

In the late Eighties, Leon Brittan, then home secretary, publicly demanded that the BBC stop the screening of a programme, *Real Lives*, a documentary about a headline Loyalist. But the most ferocious onslaught came from Norman Tebbit, who criticised the BBC's coverage of the American bombing of Libya in 1986, and accompanied his attack with a 21-page dossier.

Tories to call two polls soon

TORY party managers have decided to hold by-elections in two vulnerable Tory seats on the earliest possible date to limit the electoral damage if they are lost (Sheila Gunn writes).

They are expected to move the writs in the Commons this week starting the three-week campaigns in Lambeth and Cleveland and the Scottish seat of Kincardine and Deeside. The favoured date for both by-elections is November 7, which was previously mooted as a possible general election date. After John Major's decision to delay the general election until next year, the managers are anxious to get the two sensitive polls out of the way quickly.

However, Labour is not rushing into the by-election for the West Yorkshire seat of Hemsforth where the late Labour MP, George Buckley, had a majority of 20,700 in the 1987 general election.

General election: Kincardine and Deeside: A. Buchanan-Smith (C), 19,438; N. Stephen (L/All), 17,375; J. Thorneycroft (Lab), 7,624; F. Duncan (SNP), 3,082; L. Perica (Green), 299. C maj: 2,063. Lambeth: R. Holt (C), 26,047; P. Harford (Lab), 23,959; R. Ashby (L/All), 12,405. C maj: 2,088. Hemsforth: G. Buckley (Lab), 27,859; E. Garnier (C), 7,159; J. Woolfenden (L/All), 6,568. Lab maj: 20,700.

Out come dictionaries in NHS war of words

By ROGER WOOD, PARLIAMENTARY EDITOR

HEALTH

THE war of words over the future of the health service continued yesterday with ministers intensifying the counter-attack after Labour's decision at the weekend to keep the NHS at the top of its agenda.

At one stage, ministers and opposition spokesmen swapped dictionary definitions as they argued over Labour's allegations that the government planned to privatise the NHS.

Labour's refusal to retract its privatisation claim prompted William Waldegrave, the health secretary, to launch a fierce attack on Gerald Kaufman, Labour's foreign affairs spokesman, for remarks apparently at odds with statements by Neil Kinnock and Labour's health spokesman, Robin Cook.

Mr Waldegrave told a Young Conservative's meeting last night: "Labour returned straight to the gutter on health over the weekend, characteristically led by Gerald Kaufman who, I suspect, only feels at home in that position."

"First Kaufman says the Conservatives are going to privatise health like coal or like steel. That causes Kinnock and Cook to wriggle like eels, saying that is not what they meant at all. In the process, however, they produce an own goal on waiting lists when they say that what

they now mean by privatisation is that long waits force people to go private. In that case, Labour are the kings of privatisation, since there has never been a Labour government which did not leave waiting lists longer than it found them."

Mr Waldegrave said there was a smell of panic about Labour's health campaign. "Labour have to smear and scare because they have a complete policy void."

Another minister to enter the fray yesterday was Stephen Dorrell, a junior health minister. In a letter to Mr Cook, he suggested that Labour will condemn Mr Kaufman's remarks about selling off the health service because Mr Kinnock and Mr Cook had both accepted that there would not be a flotation.

Mr Dorrell takes issue with Mr Cook over his quoted remarks that what he meant by privatisation was the reduction of public provision and its replacement by private sector operators. "By what right do you presume to rewrite the dictionary?" his letter asks. "Privatisation is a clear word with a clear meaning, defined by Collins dictionary as 'to take into, or return to, private ownership, a company or concern that has

previously been owned by the state."

The dictionaries were out again when Mr Dorrell clashed with Harriet Harman, shadow health spokesman, on radio. Mrs Harman said the public "know that privatisation is going on. They call it privatisation and so do we. The reason they call it privatisation is because they know they used to be able to get a free eye test and now they have to pay for it."

Mr Dorrell responded by returning to his dictionary and the phrase "process of transfer".

"What we have made clear is that those units in the health service that are offering health care to the public will not be transferred", he said. □ The row spilled over into the Commons as MPs returned from the summer recess (Robert Morgan writes). Conservative MPs accused Labour of conducting a smear campaign.

John Cunningham, shadow Leader of the House, said that many people would be surprised that there had not been a statement "about the government's further proposals for the creeping privatisation" of the NHS.

John MacGregor, Leader of the House, replied that there was no statement because there were simply no charges to respond to.



Charity giving rises

Despite the recession, the number of payroll-giving schemes for charity continues to increase gradually as does the number of donors. Francis Maude, junior Treasury minister, said in a written reply: A total of 5,524 schemes were in force in June compared with 5,306 schemes at the end of March.

Legal discs

The statute book may soon become the statute disk. In a Commons written reply, Sir Patrick Mayhew, Attorney-general, said that plans to update the statute book with the help of computer technology were being considered with a view to the establishment of a statute law data base.

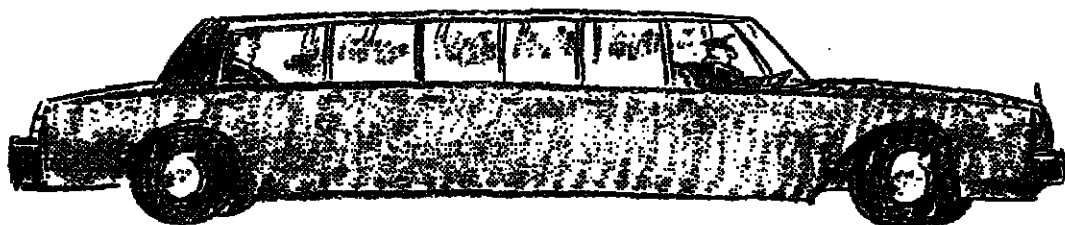
Aid drops

Britain spent less last year on foreign aid than at any time since records were begun by the OECD. The government acknowledged in the Commons. Responding to Labour taunts, Lynda Chalker, overseas development minister, said that targeting aid and closely evaluating projects was more important than throwing money at problems.

Parliament today

Commons (2.30): Questions: Defence; prime minister. Conclusion of debate on defence. Lords (2.30): British Technology Group bill, third reading. Severn Bridges bill, second reading.

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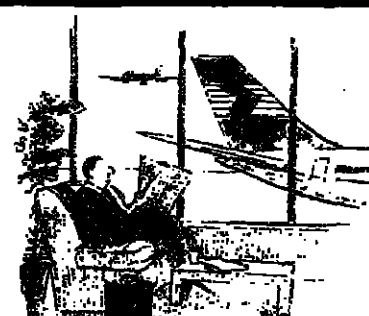
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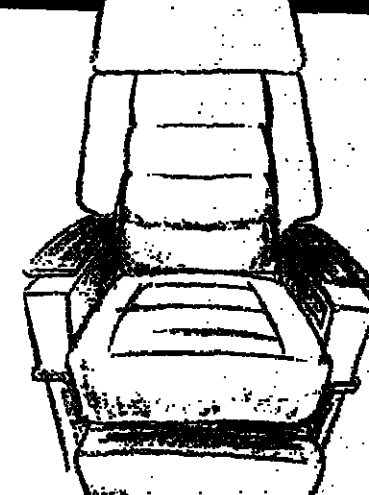
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DIRECT MAIL

STREAMLINE

Green labelling

Eco-claims confuse sceptical shoppers

By LOUISE HIDALGO

HAIR conditioners that are ozone friendly, washing powders that lessen river pollution, bathroom tissues that care for the environment, and tins of tuna fish that are kind to dolphins are confusing many of Britain's shoppers.

Instances of "green-collar fraud", where companies make spurious environmental claims for their products, are less prevalent than they were two years ago, but manufacturers are still, unwittingly or otherwise, misleading the public, according to both the Advertising Standards Authority and Friends of the Earth.

The market research group Mintel, which has completed a survey of consumers, says the fault lies with a proliferation of "green logos", environmental information and eco-speak. It says that 63 per cent of Britain's consumers no longer know what to believe.

A Times spot-check of supermarket shelves found a bicycle lubricant, for example, which its maker claimed was "ozone-friendly" although, among its ingredients, was trichloroethane, an ozone-depleting chemical.

Logos which give environmental information are becoming more common, but several, such as the "dolphin-friendly" logo on some tins of tuna fish, are spurious, according to the Whale and Dolphin Conservation Society. It says that, furthermore, an agreement with tuna fish importers for an independent body to be set up and funded

by the industry, which would monitor fishing methods to ensure dolphins were not ensnared in tuna nets, has not been honoured.

Instances of companies being reprimanded for untenable claims are rare, although last week the ASA upheld a complaint against Lever Brothers for advertising that its product, Persil Automatic, lessened river pollution because it used less powder. Prosecutions under the Trade Descriptions Act number only a handful.

Companies are becoming more wary of making unsubstantiated claims for their products, but phrases still in common use such as "environment-friendly", "recyclable" and "phosphate-free" are worrying the Institute of Trading Standards Administration, which says they are misleading because there is no legal definition of what they mean.

Maggie Gibbons-Loveday, an ITSA spokeswoman, said: "Products carry the words 'phosphate-free' when phosphates have not even been used in their manufacture. Some firms claim a product is made from recycled paper, although there is no indication of whether that means 10 per cent or 100 per cent. We even had a case brought to us recently of 'environmentally friendly' bread, which you cannot prove to be untrue because you do not know what it means."

In two months, the EC is expected to ratify legislation,

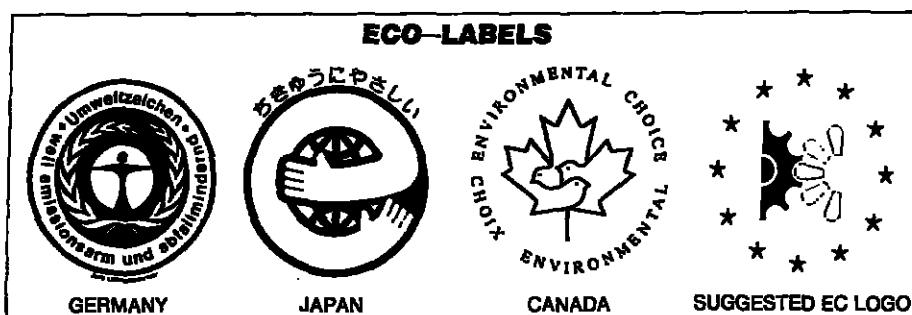
after more than two years of discussion, to set up a European eco-labelling scheme, to come into effect later next year, under which products will be awarded an official EC logo only if they meet criteria laid down by the EC.

Environmentalists, politicians, consumer groups and manufacturers all agree that the scheme should help to ease the confusion and stem a rising tide of scepticism among consumers about green claims.

Friends of the Earth, whose Green Con of the Year award helped persuade companies to tone down some of their wilder claims, wants the scheme to be mandatory. It fears that otherwise companies will use their own logos, adding to the confusion.

The government's advisory group on eco-labelling, Nagel, believes that only the environmental top 10 per cent in each group will be awarded the official seal of approval. They will have been independently assessed on raw materials, energy use, pollution, waste, packaging and disposal.

In the meantime the ITSA, with Friends of the Earth and other environmental groups, want the Trade Descriptions Act strengthened. A parliamentary select committee on the environment supported the call in its report last month on green labelling. The committee's recommendations are still being considered by the Department of Trade and Industry.



Minor minor: Franchesca and Deniese Laetall, nine-year-old twins, drive the new Minor Junior, a £1,695 pedal car built by The Morris Minor Centre Bath Ltd at Monkton Combe, Avon. London Motorfair, pages 32-37

Police 'flout law' to trap suspects

By CRAIG SETON

POLICE officers routinely evaded provisions in the Police and Criminal Evidence Act that were designed to protect the rights of suspects, a research group has claimed.

Three researchers from Birmingham and Warwick universities, who investigated more than 1,000 criminal enquiries by detectives in three unidentified police areas, said that the 1984 act was no guarantee against miscarriages of justice such as those of the Guildford Four, whose convictions were overturned on appeal.

Roger Leng, a senior lecturer in law at Birmingham University, and one of the authors of the report, said

yesterday "that various methods to regulate police behaviour, which are supposed to be to the advantage of the suspect, are probably not".

Mr Leng said that while there was provision for taping statements, officers frequently conducted informal interviews when confessions, which were later denied, were made, or deals were struck. Custody officers were required to decide whether there was good reason to hold a suspect. But they rarely exercised that discretion. It was also common for suspects to be denied access to a solicitor. "We came across cases where people were detained on no evidence whatever," he added.

Officers challenge policy on funding

By STEWART TENDLER, CRIME CORRESPONDENT

LEADERS of over 140,000 British police officers will tomorrow launch a "policing agenda" questioning the government's performance on law and order. The agenda, to be published at a special conference in Peebles called by the three police federations covering junior ranks in England and Wales, Scotland and Northern Ireland, is likely to embarrass the government.

Federation officials maintain that the federations are preserving their traditional distance from the political parties, but the paper is expected to criticise the government's performance in providing adequate manpower and funding. The document will

reiterate a call by junior police ranks for a royal commission to decide the role of the police in the 1990s. Such a commission has been turned down by the Home Office and opposed by chief constables.

The paper is also expected to accuse the government and the Home Office of pursuing a secret agenda intended to privatise what officials describe as key elements of the policing operation. They cite, for example, the growing use of private security firms to patrol shopping malls. There is also ire over changes in the status of the forensic science service and plans to use security companies to escort prisoners to and from courts.

Raiders smash through bank wall

Police were last night hunting three armed robbers who stole £80,000 from a north London bank by breaking through the wall of an adjoining building and forcing the six staff to open the safe when they arrived for work.

The gang appears to have worked over the weekend to weaken the wall of a flat next door to Barclays Bank in Green Lanes, Palmers Green. They waited until they heard staff coming in and then crashed through the last part of the wall.

Wearing balaclavas and brandishing sawn-off shotguns, they intimidated the staff, emptied the safe and then left through the hole. The staff were tied up but not injured.

Life for killer

A schizophrenic who killed his wife, aged 47, and sons, aged five and two, with a pair of scissors ten months after release from hospital, was sent to Broadmoor for life yesterday by Winchester crown court. Michael Hall, aged 50, of Ringwood, Hampshire, had admitted manslaughter.

Turks arrested

Six suspected illegal immigrants who sailed into Great Yarmouth on Sunday on a yacht are being questioned by police. A Dutchman and a Turk were arrested after landing, and four Turks were picked up yesterday at Liverpool Street station, London.

Gang stabbing

Police in Manchester fear that a gang of 15 youths who attacked an off-duty policeman in Eccles New Road, stabbing him in the back, is planning to use his stolen uniform to commit further crimes. The officer, aged 34, is recovering in hospital.

Kitties richer

Graeme Budgen, a millionaire from Redditch, Hereford and Worcester, who died in August last year, has left £1.3 million to the Feline Advisory Bureau, which once saved the life of his cat.

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America is holding its breath over the outcome of a judicial appointment Bush saw as routine

Senators are still divided on eve of vote

From SUSAN ELLICOTT
IN WASHINGTON

THE Senate will decide tonight whether to confirm Clarence Thomas as a high court justice after weighing up three days of conflicting testimony from hearings into allegations that he sexually harassed a former female assistant.

Judge Thomas has "categorically and unequivocally" denied all charges by Anita Hill, a law professor, that he repeatedly pressed her to go out with him in the early Eighties and later made lewd remarks about pornographic films and his anatomy after she refused. Both the judge and Ms Hill, who are black, declined to appear again at the nationally televised hearings to restate their cases.

Their refusal injected a rare note of restraint into what has become a drama played out in sitting rooms across the country. As polls showed that Americans by 2:1 would give Judge Thomas the benefit of the doubt, Ms Hill added to the theatre by undergoing an independent lie-detector test that came back positive.

Republicans who support President Bush's nominee have suggested that Ms Hill either made up or was fed her allegations by civil rights activists intent on blocking a black conservative's appointment to the high court bench. Judge Thomas's mentor, Senator John Danforth of Missouri, quoted legal experts as saying that polygraph tests do not show negative if a person is fantasising.

The vote is expected to be close. By yesterday, as many as 48 of the 100 senators were said to be behind Judge Thomas, according to surveys by television networks. Joseph Lieberman, an undecided Democrat, said that to oppose the judge he would have to conclude that Ms Hill's allegations "did not overcome the benefit of the doubt that most people seem to feel" for Judge Thomas.

Judge Thomas had a majority of the Senate backing him until the allegations surfaced

in a leak to the media from a liberal coalition last week. But Ms Hill's charges have aired a debate about sexual harassment of women in the workplace that could make it difficult for liberal Democrats to confirm Judge Thomas without risking a backlash from female constituents.

The Democrats have the upper hand in the Senate, with 53 votes to the 47 Republicans. It would take only a handful of Democrats to change their earlier intended support for Judge Thomas's nomination as the second black to sit on the Supreme Court to be rejected.

During the frank and lurid congressional hearings, Mr Bush mobilised senior officials, including his legal counsel, to cast doubt on Ms Hill's veracity and character when public opinion appeared to be swinging in her favour. Dan Quayle, the Vice-President, will vote in his capacity as head of the Senate if the vote is split 50-50.

Mr Bush said last night that he was pleased how "the support across the country is holding up" for Judge Thomas, including a majority of blacks. In fact, the black community is split and worried that the hearings might have enhanced a racial stereotype of blacks as untrustworthy and vulgar.

Some of the most potentially damaging testimony against Ms Hill came from J. C. Alvarez, a Chicago businessman who worked with Judge Thomas and his assistant at the Equal Employment Opportunity Commission. "On Friday, she played the role of a meek, innocent, shy Baptist girl from the South who was the victim of this big, bad man," Mr Alvarez said. "I don't know who she was trying to kid, because the Anita Hill that I knew and worked with was nothing like that."

Office politics, page 18

Hometown folk sing the judge's praises

From REUTER
IN GEORGIA

NEARLY 300 supporters of Judge Clarence Thomas, the United States Supreme Court nominee, attended a rally in his tiny home town as the Senate judiciary committee continued hearings of charges that he sexually harassed an aide.

Singing, *We Are Climbing Jacob's Ladder* and carrying handwritten signs quoting Judge Thomas's defiant statement, "I'd Rather Die Than Withdraw", the group marched about a mile from a Baptist church to the town

community centre. The crowd, which included both blacks and whites, marched down the town's only paved street, past houses decked with balloons and banners during the 90-minute demonstration.

They carried signs reading "Anita Hill: Stop Making Yourself Look Like a Joker", referring to the law professor who accused Judge Thomas of sexual harassment. Among the speakers was the mother of Judge Thomas, Leola Williams. "It's kind of hard to see your child criticised," she said.



Heated exchange: Strom Thurmond, a member of the Senate judiciary committee, raising his hand as he questions Senator Edward Kennedy's role in the hearings

Hearings spark debate on meaning of harassment

By SUSAN ELLICOTT

THE Senate hearings to confirm or reject Clarence Thomas, President Bush's nominee, as a Supreme Court justice in the United States have triggered furious debate on both sides of the Atlantic over when an advance becomes sexual harassment.

Anita Hill, a law professor, has alleged that Judge Thomas intimidated her sexually when they worked together ten years ago. The case has led women's groups in America and Britain to question the legal remedies open to victims of sexual harassment and ask whether laws designed to protect women from sexual intimidation at work are strong enough.

Contrary to popular belief in both America and Britain, people who feel they have been harassed sexually do not have to prove they have been passed over for promotion or forced to leave their job in order to win a case. In America, the Equal Employment Opportunity Commission has defined harassment since 1980 as any "unwelcome" conduct that interferes with a person's work performance or creates a "hostile environment". By this standard, lewd jokes, innuendos and even pictures apply.

This year, a female welder in the state of Florida won a court case in which she claimed that her co-workers' topless pin-ups and all-guys atmosphere were offensive to women. Her case was helped by a ruling that harassment charges must be measured from the position of a "reasonable woman" rather than of an imaginary neutral plaintiff. A victim of sexual harassment in the United States also has the possibility of taking out a civil action for assault and seeking large sums in damages.

In Britain, people of either sex who feel they have suffered sexual harassment have three possible courses of legal

action. They may seek to persuade the police to mount a criminal action for indecent assault, if physical contact has taken place. Such cases are rare and difficult to prove to the satisfaction of a Crown court. Victims could take out civil actions for assault, but would have to prove that they were frightened by the sexual advances. The third and most common route is to go to an industrial tribunal citing the 1975 Sex Discrimination Act. To win tribunal cases, victims have to prove that their feelings have been injured by untoward attention.

While the legal routes in America and Britain are similar, the levels of compensation differ greatly. The maximum British industrial tribunals may award is only £10,000. In America, by contrast, compensation can go into six figures.

British lawyers argue that compensation levels should be raised. "They are too low," said Denise Kingmill, senior partner at the City law firm DJ Freeman. "Many cases involve well-paid professional women and even the maximum is too low to compensate them, particularly if they lose their jobs through sexual harassment. The difference between Britain and the United States is that Americans use their law as an agent for social change. Large compensation payments help that process."

What is clear through the minefield of definitions and arguments over legal remedies is that sexual harassment at work is on the increase in America and in European countries.

Britain is likely to have to adopt a precise definition of sexual harassment in the near future. Last July, the European Community issued what is technically called a code defining detailing exactly what constitutes sexual harassment. According to the code it is: "unwanted conduct of a sexual nature, or other conduct

Lie detector tests spotlights political undercurrents

By MARTIN FLETCHER
AND NICK NUTTALL

LIE DETECTORS

ANITA Hill's voluntary submission to a lie detector test on Sunday was the latest of the many ironies in the Clarence Thomas hearings.

Republicans on the Senate judiciary committee called the results meaningless. Democrats, who along with civil rights groups have often condemned polygraphs, said yesterday that they enhanced Ms Hill's credibility.

The tests measure changes in heartbeat, blood pressure, perspiration and breathing rate as the subject answers a series of "key" questions interspersed with "control" questions. Most states bar the use of polygraph results in court cases; a handful permit their use if both sides agree.

Lawyers acting for Ms Hill enlisted Paul Minor, former head polygraph examiner for the FBI, to perform the test on Sunday. She was asked four "key" questions: "Have you deliberately lied to me about Clarence Thomas?"; "Are you fabricating the allegation that Clarence Thomas discussed pornographic material

with you?"; "Are you lying to me about the various topics that Clarence Thomas mentioned to you regarding specific sexual acts?"; and "Are you lying to me about Clarence Thomas making references to you about the size of his penis?"

Ms Hill answered "no" each time. Mr Minor recorded in his report: "There was no indication of deception to any relevant question."

The results were released by Mr Ogletree at a press conference outside the hearing room shortly before primetime television evening news shows. The disclosure had Republicans scrambling to control the damage, actual or perceived, while administration officials noted that polygraph results were inadmissible in criminal trials.

America's fascination with lie detector tests has never been shared in Britain. London did consider them in the mid-1980s for screening intelligence gathering and national security staff after the Geoffrey Prime spying scandal. The plan was approved but never implemented and was shelved in 1988.

Ray Bull, professor of psychology at Portsmouth polytechnic, says that although polygraph equipment "accurately records the physiological indices thought to be linked with lying", such as sweating, these can be influenced by a wide range of factors, leading to false readings. Lie detector operators can, if questions are poorly structured, influence the outcome.

Professor Bull said focusing on erotic thoughts or placing a drawing pin in a shoe can also fool machines by leading to false readings to control questions. The only worthwhile use of the polygraph would be in police work, in association with "guilty knowledge tests", with suspects' responses to crucial facts being compared, he said.

Several other systems have been proposed as lie detector machines, but according to Professor Bull, all carry the same flaws as the polygraph.

Inquisitors tainted by their past

From MARTIN FLETCHER
IN WASHINGTON

THE SENATORS

CONSIDERING their own blemished records, the white male senators who have been sitting in moral judgement on Clarence Thomas and Anita Hill over the past few days have presented a far from edifying spectacle.

The chairman of the 14-man Senate Judiciary Committee is Joseph Biden, a man with an impressive record as a champion of women's rights, but one who had to withdraw as the 1988 Democratic presidential candidate for plagiarising a speech by Neil Kinnock. Its second most senior Democrat is Edward Kennedy, the man with perhaps the most unenviable record of allegations concerning sex, alcohol and his private conduct in the Senate.

That record includes cheating at Harvard, the death of Mary Jo Kopechne at Chappaquiddick, and most recently the alleged unsavoury events at his family's holiday compound last Easter which resulted in his nephew being charged with rape. Senator Kennedy has understandably maintained a low profile.

Of the other Democrats, Dennis DeConcini was rebuked by the Senate ethics committee a few months ago



Impassioned defence: John Doggett, a lawyer, giving evidence yesterday for Judge Thomas

for improperly helping Charles Keating, one of those convicted in the Savings and Loan scandal who was also one of the senator's biggest campaign contributors. Patrick Leahy had to resign from the Senate intelligence committee in 1987 for leaking a draft report on the Iran-Contra affair, and questions have been raised about Howard Metzenbaum's private business dealings. Given those records, it is perhaps as well that the weekend's interroga-

tion was carried out primarily by just six senators.

On the Democratic side was Mr Biden of Delaware, a lawyer, Mr Leahy of Vermont, a former state prosecutor, and Howell Heflin of Alabama, a former chief justice of that state's Supreme Court—all of whom had voted against Mr Thomas's nomination last month. The three Republicans were Orrin Hatch of Utah, another skilled courtroom lawyer, Arlen Specter of Pennsylvania, also a former pro-

secutor, and Strom Thurmond of South Carolina, aged 89 and once a lawyer, who recently separated from his wife 40 years his junior. They all supported Mr Thomas.

For these men the interrogations, being watched live on television, were almost as much of a trial as they were for Mr Thomas and Ms Hill, having failed to act on the sexual harassment allegations against Mr Thomas until they were leaked to the press. They had to pick their way through a minefield of conflicting interests, appearing to be neither bullies, condescending white men or soft touchers, neither administration lackeys nor mindlessly partisan.

The Republicans wanted to destroy Ms Hill without appearing to be ganging up on a lone black woman or to be flippant about her sexual harassment allegations. The Democrats wanted to destroy Mr Thomas, but not to be seen rushing to conspire against a presidential nominee who remained popular in the country, particularly amongst men.

In the end such considerations could well decide the outcome of tonight's full Senate vote. Unable to prove that either Mr Thomas or Ms Hill were lying, undecided senators will be trying to calculate whether there is a greater danger of being judged sexist for supporting Mr Thomas or racist for opposing him.

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Baker mission

Palestinian accord boosts hopes on talks

From Christopher Walker in Cairo and Mary Dejevsky in Moscow

HOPES of convening a Middle East peace conference before the end of October received a significant boost yesterday when James Baker's eighth peace mission began on an unexpectedly optimistic note.

Emerging from nearly four hours of talks with the American Secretary of State, President Mubarak of Egypt — who is playing a vital middleman role on the Arab side — told reporters that he no longer saw big obstacles remaining. "I cannot say that it is a very big

obstacle or something so difficult," he said.

Last night, in a move further raising optimism, a radical Palestinian group said that the Palestine Liberation Organisation had officially agreed that Palestinians would attend a Middle East peace conference as part of a joint delegation with Jordan. The Popular Front for the Liberation of Palestine said that the PLO executive committee took the decision on Saturday.

Mr Baker, who left last night for Jordan, said that many of

the earlier differences over staging the conference had been resolved. "I am hopeful that we will be able to see a conference convened before the end of the month," he said, confirming reports that America and Soviet Union were likely to issue invitations to Israel and Arab delegations even if this final trip does not iron out all the remaining problems. Under the terms originally agreed by Washington and Moscow last July, invitations must go out by October 21 at the latest.

The Soviet Union will meanwhile announce this week that it intends to resume full diplomatic relations with Israel. A spokesman for the Soviet foreign ministry said in Moscow yesterday that the announcement would come "on the eve" of a visit to Israel on Thursday by Boris Pankin, the Soviet foreign minister.

While in Jerusalem, Mr Pankin will meet Mr Baker, and he has set aside time to meet Palestinian leaders. Mr Pankin's visit to Israel is the opening leg of a five-day tour of the Middle East, which will take him also to Syria, Jordan and Egypt. John Major was also in Cairo yesterday, where he had talks with Egyptian officials during a stopover en route to Zimbabwe for a Commonwealth conference.

Israel's agreement to participate in the peace conference has been a Soviet condition for restoring relations, which were broken off by Moscow in 1967. Consular relations resumed last year.

● Baghdad — Iraq yesterday vowed to wage the "mother of all battles" against the sanctions imposed by the United Nations which it said were aimed at severing the nation's head — President Saddam Hussein. An editorial in the army newspaper, *Qadisiya*, denounced the UN curbs on its trade and scientific research.

It appeared to be the start of a counter-offensive against sanctions set 14 months ago in response to the conquest of Kuwait. (Reuters)

Burma deaf to Nobel acclaim

By David Watts
DIPLOMATIC CORRESPONDENT

AS THE flame of freedom and democracy jumps from one obscure corner of the world to another, Burma remains sadly immune to the world-wide trend.

But the country is so isolated that it might well be entirely forgotten were it not for the world's arms merchants and businessmen who connive at the incarceration of Aung San Suu Kyi, the frail woman who is now the only hope of a new, democratic government. More than 1,000 members of her National League for Democracy have been jailed since the party won the elections in 1988, and one by one they are being coerced into renouncing attempts to set up a government outside the country.

As her isolation continues for the third year, she has had no contact with her family for many months — no letters, no parcels and no telephone calls. Her husband, Professor Michael Aris, and their two sons do not know whether she is alive or dead. Diplomatic reports on her plight seem to have petered out.

The troops in the three sand-bagged guard posts outside her now slightly shabby two-storey Rangoon home are only the immediate and most obvious jailers of this daughter of Burma's most illustrious freedom fighters. But just as important are the governments in Peking, Bangkok, Bern and Belgrade who permit the sale of expensive weaponry to a xenophobic regime which governs one of the world's poorest countries yet spent \$1,060 million (£619 million) on its defence budget in 1990.

That money bought sophisticated Chinese-built MiG21 fighters, as well as PC9 ground attack aircraft from Switzerland and Yugoslav Super Galeb jets



Voice of democracy: Aung San Suu Kyi addressing a Rangoon rally before her arrest

which have been used against opponents of the Burmese government with the same ruthless efficiency as against Croats at home.

Businessmen from Bangkok pour into the country to help themselves to Burma's rich tropical hardwoods at knock-down prices, while the Thai military has instructed Burma's State Law and Order Restoration Council in the methods of military government. East European arms salesmen are reported to have been showing an interest in one of the few buoyant markets for their wares as have visitors from South Korea and Singapore.

The Burmese government is delighted because

221 of the 369 elected representatives of what should now be a democratic ruling party have been induced to renounce their support for the nascent government in exile. The Rangoon regime clearly believes that its efforts over the past three years since it nipped democracy in the bud have been triumphantly successful. As the official *Working People's Daily* put it in an editorial, "the tasks which this government had set itself can be likened to nothing less than the cleaning of the Augean stables. Even the most cynical have to grudgingly concede after these three years that the State Law and Order Restoration Council

has indeed delivered the goods it promised." It added: "The freest and fairest general elections have been held as pledged by the military."

But more telling were reports that there has been fighting between the government and its opponents in the Irrawaddy delta for the first time in 20 years.

One key disadvantage for the regime arising from Daw Suu Kyi's Nobel prize they could not have foreseen is the undoubted boost the award will give to efforts in the United Nations to pass a resolution condemning the government of Burma.

Nobel award, page 1
Leading article, page 19

Kaunda's son faces execution

Lusaka — Kambarage Kaunda, youngest son of the Zambian president, was sentenced to death yesterday for murder. A High Court judge found that Kaunda, aged 27, had drawn a pistol and shot dead Tabet Mwansa, a woman aged 20, on September 3, 1989. He rejected Kaunda's defence that his car had been surrounded by an angry mob and that he had fired to protect himself and a friend. Kaunda lodged an appeal with the Supreme Court.

The president, who has the constitutional right of pardon, was not in court at the time. Lawyers said any pardon could come only after the appeal process, which would probably last until after presidential elections on October 31. President Kaunda is facing a poll defeat, analysts believe. The defendant was originally accused of manslaughter, but the judge set a precedent by upgrading the charge to murder. (AP)

Township deaths

Johannesburg — The violence in South Africa's black townships claimed another 23 lives and left 30 injured at the weekend despite the signing of a national peace accord by the main political parties. Police were investigating whether Zulu hostel dwellers were behind attacks in Soweto in which ten people were shot.

Brothers spared

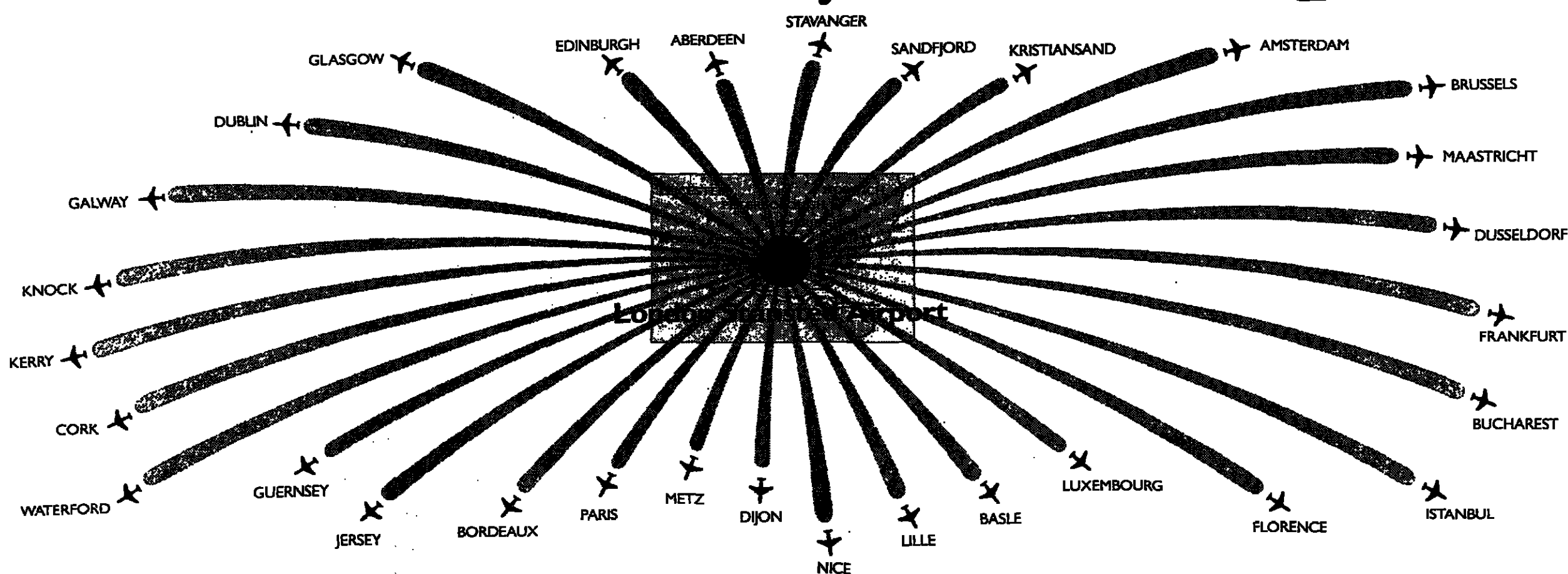
Peshawar — Pakistan's appeal court has thrown out an Islamic court conviction and freed two American Muslim brothers sentenced to have their right hands and left feet cut off for stealing 80,000 rupees (£1,900) from a bank. The court acquitted Charles Boyd, aged 29, and his brother Daniel, aged 23. (AP)

Papal warning

São Luis — The Pope told Brazilian priests here not to meddle in politics and reminded them that there was no place in the Catholic Church for married priests. He was greeted by thousands of faithful who lined the 12-mile route from the airport into the city, the second of ten he is to visit in Brazil. (Reuters)

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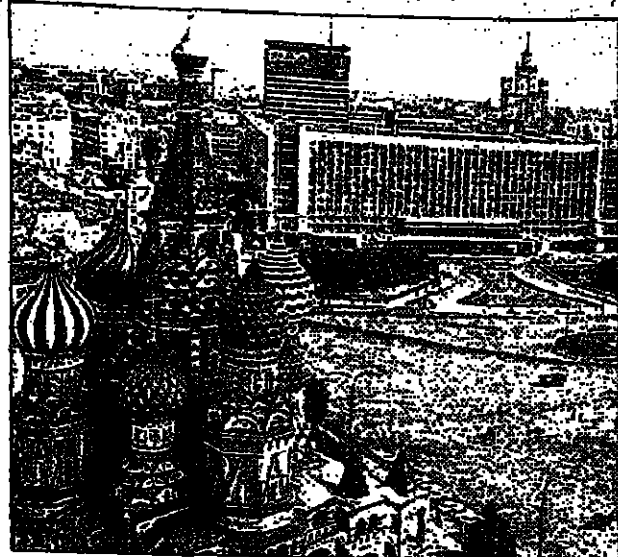
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Soviet Union abolishes stringent curbs on internal travel



Moscow: fears of an invasion by rich southerners are gaining ground among hard-pressed Muscovites

THE internal passport system, one of the most restrictive of remaining Soviet institutions, is to be abolished, Sergei Alekseyev, chairman of the Constitutional Revision Committee, said yesterday. He called the system "a national disgrace".

The change, officially comes into effect from January to give republican and local authorities time to make provisions. But violations of the "passport regime" will no longer be punishable. The very announcement that national control of population movement is to be abolished means it is effectively dead.

The change could precipitate a rush to big cities with possibly chaotic results. Until now, all Soviet citizens had to obtain official permission before changing residence. Several big cities, including Moscow and Leningrad, were technically "closed" to new residents. This led to widespread corruption and abuses, including marriages of convenience. It also resulted in the northern cities having an ageing workforce which failed to match the jobs available, and made possible the use of "internal exile".

The institution which led to widespread use of internal exile has been branded a national disgrace, writes Mary Dejevsky in Moscow

Until now, all Soviet citizens had to obtain official permission before changing residence. Several big cities, including Moscow and Leningrad, were technically "closed" to new residents. This led to widespread corruption and abuses, including marriages of convenience. It also resulted in the northern cities having an ageing workforce which failed to match the jobs available, and made possible the use of "internal exile".

internal passport system was forecast last month after the Soviet Congress of People's Deputies approved a declaration on human rights that acknowledged the right to freedom of movement and residence. Article 21 ensures each individual "the right to free movement inside the country and choice of his place of residence and stay". The committee listed a series of rules and regulations issued between 1964 and 1987 and designed to enforce the passport system.

It said all would "expire" on January 1. They included a ban on employers recruiting non-Muscovites to jobs in Moscow, and limits on new residents in cities such as Leningrad (now St Petersburg) and several resorts.

Mr Alekseyev said yesterday's move could do more than anything to reduce a disparity in living standards between town and country (country-dwellers by and large were prohibited from moving to towns), and foster the growth of a housing market. None the less, the change will face strong opposition — and not only from those who took bribes for granting residence permits. The greatest threat probably comes from ordinary city-dwellers fearful that out-

siders will make demands on their inadequate supplies and services. Several Moscow residents expressed the fear that "rich southerners" — by which they mean Armenians, Azerbaijanis and Georgians — would descend on Moscow, buy up all the property they could lay their hands on, price Muscovites out of the housing market, monopolise the distribution network and render Muscovites aliens.

The constitutional committee's findings try to meet such objections by permitting local authorities to retain a system of residence registration — but not, except in certain circumstances, one that requires an individual to seek "permission". The exceptional

circumstances listed include national security considerations (border zones and defence installations), but are drawn broadly enough to allow abuses in future. After January 1, however, individuals will be able to use the committee's findings to challenge decisions taken against them — and to win.

The constitutional committee recommended a year ago that laws be enacted to abolish the internal passport system as unconstitutional. Mr Alekseyev said no one did anything and his committee had decided to tackle the question again given the changed circumstances following the August coup and the passage of the declaration on human rights.

Moscow devises new formula to heal rift over the Kuriles

FROM MARY DEJEVSKY IN MOSCOW

THE Soviet leadership moved yesterday to settle one of the longest and costliest foreign policy disputes on its diplomatic agenda: the territorial conflict with Japan over the four southern Kurile islands.

During a day of meetings with Taro Nakayama, the visiting Japanese foreign minister, Boris Pankin, the Soviet foreign minister, presented a series of concessions which show that, after decades of intransigence, Moscow now urgently wants a solution.

According to Vitali Churkin, the Soviet foreign ministry spokesman, Mr Pankin said that Moscow would introduce visa-free travel between Japan and the disputed Kurile islands and would cut its troops on the

islands, estimated at between 7,000 and 8,000 men by 30 per cent "for now", with further reductions likely to follow. The islands are to become a free enterprise zone, with special terms for Japanese investors.

Moscow also proposed restructuring a joint commission, set up earlier this year to draft a peace treaty between the two countries, in a way that recognises the existence of the territorial dispute and gives the Japanese a deciding voice in how it is settled. The committee will be divided into two groups, one to discuss the territorial question, the other all remaining issues. The first group will have a Japanese chairman and meet more often; the second

will be chaired by a Soviet representative.

Until now, Moscow has been reluctant even to admit that jurisdiction over the Kurile islands was in dispute, let alone to propose formal talks on the issue. The most that President Gorbachev was willing, or able, to do during his visit to Japan last April was to agree to the joint commission on a peace treaty. The very suggestion that Moscow might be prepared to "sell" the islands back to Japan for large sums of aid provoked Mr Gorbachev into instituting a law suit (now dropped) against its author, a member of the Russian parliament.

Among other proposals made by the Soviet side and accepted by the Japanese yesterday was the formation of a new group to oversee research and publication of a volume on the history of the southern Kuriles, including territorial jurisdiction. No less significant than these developments was a marked change in the whole tone of the Soviet approach as embodied by Mr Pankin.

According to Mr Churkin, he told his Japanese counterpart at the outset that Moscow wanted to "find compromises to those problems which could not be conceived as being soluble before". Later, he said that bilateral relations should be encouraged to improve to the point, "where it does not matter who the island of view".

Who the islands belong to matters greatly, of course, both to the Russians and to the Japanese, and a blurring of the distinction will not be easy. But Moscow's strategy is clear. It is trying its best to satisfy Japan by gradually ceding the islands de facto to Japanese control, while at the same time trying to minimise domestic opposition by retaining de jure control, at least for the time being.

The four islands — Etorofu, Kunashir, Shikotan and the Habomai group — have been in contention since they were annexed by Moscow at the end of the second world war.



Pankin: offered a series of important concessions



Riding high: Filip Dimitrov, democratic forces leader, celebrating early results signalling victory in Sofia yesterday

MEPs fear hard drugs explosion

FROM GEORGE BROCK IN THE HAGUE

THE lowering of trade barriers in Europe after 1992 and the handover of Hong Kong to China in 1997 will create new opportunities for criminal gangs to move hard drugs round Europe, according to a report by members of the European Parliament.

The report paints a picture of increasing hard drugs consumption in Europe and new methods used by multinational criminal organisations to smuggle heroin and cocaine around the Continent. Its conclusions will be released shortly before European Community leaders at the Maastricht summit in December discuss German proposals for closer integration of crime detection. Helmut Kohl, the German chancellor, wants the EC to set up a European version of the American FBI to fight mobile criminals.

The MEPs speculate that the passing of Hong Kong to China will lead many criminal triad gangs, heavily involved in drug smuggling, to relocate within Chinese communities in Britain and the Netherlands.

lands. It says there are already triad power bases in London, Manchester and Glasgow.

In the past few years, Turkish "clans" have created their own trafficking circuits to compete with the Chinese gangs. The Turks are now believed to control half the European market in heroin. The liberation of Eastern Europe has changed the pattern of drug production. The report says Polish gangs are now making high quality amphetamines which are smuggled into Germany.

The report's authors are anxious that Japanese businesses moving into Europe will bring their brand of gangster with them, the yakuzas. Part of the yakuzas' strength lies in their close connections with top Japanese companies. "With the spread of Japanese investment in Europe... it will be possible to prevent the spread of yakusa influence in Europe," the report says.

The world drugs market was worth an estimated £71 billion last year.

Democrats are set for poll triumph

FROM ROGER BOYES IN SOFIA

BULGARIA'S former communists have suffered a humiliating defeat in general elections held on Sunday, and the country seems set to be ruled by a coalition dominated by the dissident Union of Democratic Forces.

That was the assessment yesterday of most politicians on the basis of early projections carried out by Gallup and by the American Association for Free Elections. Although final results will not be known until the end of the week, the democratic union was already putting out feelers to the Agrarian party as a possible partner.

The projections showed that the communists — re-named the Bulgarian Socialist party — achieved about 31 to 32 per cent of the vote, a dramatic fall from the 48 per cent it won in the country's first free elections 16 months ago. The democratic union, whose supporters were out celebrating on the streets yesterday, seemed to have won between 35 and 37 per cent. The forecasts have a margin of

error of 3 per cent, which suggests that the union's lead is unassailable.

The surprise was the emergence of the Turkish Movement for Rights and Freedom as the third force in Bulgarian politics. The only other party to be certain of clearing the 4 per cent hurdle was the Agrarian party, which would be a less volatile coalition partner. There is prejudice against the 600,000 Bulgarian Turks who in 1984 and 1985 were cruelly treated under the communist regime.

Many were forced to emigrate or to change Turkish names to Bulgarian ones. Mosques were closed and Turkish school books were burned. The democratic union has distanced itself from such policies, yet there is friction between the two parties.

The Turks stood as a movement rather than a party, but this makes little difference to their pivotal role on the political scene.

Thirst for revenge, page 18

Germans seek baby dealer

Bonn — Police in Berlin have issued an international warrant for the arrest of a Frenchman, Joseph Colombar, suspected of heading a gang who have been stealing or buying infants from east European refugees and selling them to couples in the south of France (Ian Murray writes).

Police enquiries began after a Dutchman of Romanian descent, Ludovic Basil, was arrested in Berlin. When his caravan was searched, a boy aged one and a girl aged two were found. One had been stolen from an ethnic German refugee family at the weekend and the other from an asylum seekers' hostel last month. There was also a "catalogue" of 15 very young children and evidence apparently linking M Colombar with a gang of at least 17 baby traffickers.

Four arrests have been made and Interpol has been alerted to help track down other gang members and to try to trace the parents of the children in the catalogue.

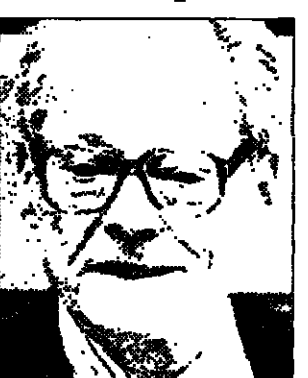
Bread rationed

Moscow — The Soviet republic of Georgia has decided to introduce bread rationing rather than increase the price, according to Tass. Each citizen will be entitled to 17.5oz of bread a day. The decision was taken because of the high cost of importing grain from other republics. (AFP)

Moscow attack

Moscow — A Soviet citizen was killed and an American and two Soviet policemen were among six injured when a gunman fired shots and threw a grenade into a Moscow restaurant during a cookery symposium. The motive for the attack was not known. Police cited rising crime in the capital. (Reuters)

Brandt improves



Cologne — Willy Brandt, aged 77, the former West German chancellor, has walked for the first time since his operation for a malignant intestinal tumour last Thursday, the University Hospital here has announced. (AFP)

Warning shots

Berlin — Guards at a Soviet barracks in eastern Germany fired warning shots in the air to ward off a threatening group of 30 neo-Nazi youths near Spremburg, about 60 miles southeast of here, after the group fired starting pistols at them, police in Potsdam said. (AFP)

Land restored

Tirana — The government has decided to return church land and property taken by the communists in 1967 when they banned religion, the daily Zeri i Popullit newspaper reported. About 20 per cent of Albania's 3.3 million people were Catholics and 10 per cent were Orthodox before the ban. (AP)

Ports closed

Marseilles — A two-day strike by more than 8,000 dockers closed French ports, the main CGT union has said. Pickets prevented passengers and cars boarding ferries for Corsica and North Africa. The strike was intended to press for negotiations on government plans to change dockers' working conditions. (Reuters)

Turkey braces for coalition

FROM ANDREW FINKEL IN ISTANBUL

THE Turkish electorate is keeping its politicians on a short lead in the final week of the general election campaign.

No opinion survey shows any party doing well enough to form a government on its own. Sunday's poll is likely to be followed by hard bargaining between potential coalition partners.

One man likely to make a political comeback is Suleyman Demirel, who was prime minister when the military took power in 1980. His True Path party, which competes for the same conservative space as the ruling Motherland Party, now tops most opinion polls with less than 30 per cent. The logical outcome of a Motherland-True Path coalition seems unlikely in view of Mr Demirel's stated intention to impeach President Ozal, who founded the Motherland Party.

A similarly bitter feud exists between the two left-of-centre parties. Bulent Ecevit, leader of the Turkish left during the 1970s, has resisted attempts by the larger Social Democratic Populist party to woo him back into the fold. He has accused the party of falling into the hands of Kurdish separatists. The party leader, Erdal Inonu, has accused Mr Ecevit of being the leader of an autocratic clique.

In the past, Mr Ecevit's Democratic Left party has done just well enough to spoil the social democratic populists' chances of success. This time it might get more than 10 per cent of the national vote required for a party to qualify for seats in parliament.

Another small party which looks like doing better this time is the pro-Islamic Welfare party, which is running a well-organised campaign. Its leader, Necmettin Erbakan, has managed to forge an alliance with another minority party, composed of militant nationalists. The Welfare party has made headway in some big cities and regional pockets, and in Istanbul last Sunday managed to fill a central square. Among those addressing the crowd was Yusuf Islam, formerly the pop singer Cat Stevens.

● Ankara: Turkey is pulling its forces out of northern Iraq after destroying bases of separatist Turkish Kurds in cross-border raids, a senior military official said yesterday. Military sources said that at the weekend about 3,000 troops backed by fighter-bombers and helicopters had taken part in strikes on bases of the Kurdish Workers' party, outlawed in Turkey. (Reuters)

Economic zone delayed

FROM REUTER IN MOSCOW

THE signing of a key economic agreement by ten Soviet republics, scheduled to take place today, has been put back until Friday, a spokesman for President Gorbachev said yesterday.

The accord, intended to create a united economic zone and avert a breakdown of food, fuel and industrial supplies, was initiated at the beginning of the month. Disputes have, however, broken out in several republics, including Russia and the Ukraine, over the powers of central co-ordinating bodies.

Only Moldova and Georgia have failed to agree to join the pact. The three Baltic states are not included since they are now fully independent. The possibility that Moldova and Georgia might have to pay world prices for fuel and raw materials from Russia may induce them to sign.

In some republics, including the Ukraine, parliaments may insist on a debate and ratification vote, but other more authoritarian administrations may push approval through without lengthy discussion.

Mr Gorbachev believes that the three-year economic agreement is vital if economic ruin is to be staved off this winter and market reforms are to be introduced. However, resurgent nationalism among the republics has stirred opposition to some provisions of the proposed treaty among national groups that would invest powers in central bodies.

Skeletons rattle in the secret police's umbrella closet

SOFIA NOTEBOOK by Roger Boyes

THE Bulgarian secret police, once a choice career for young men capable of handling umbrellas, is desperate. Only mediocre candidates, with little grasp of the outside world, are now applying to join the service. "Give me a youth, with even a little bit of English, and I guarantee to turn him into another Kim Philby," says the head of the Bulgarian spy school, quoted in the Sofia tabloid, *Daily Post*. Does Bulgaria need Kim Philbys? Does anybody?

Now that Bulgaria has at last dislodged the communists from power, the secret police looks in even

deeper trouble. There is a real prospect of non-communist interior and justice ministers in the new cabinet and they will be keen to open the closets that are chock-a-block with skeletons — the Georgi Markov murder, the plots to kill the Pope, the drug smuggling, the twisted arms deals.

Propping up the bar in the Sheraton Hotel this week was an Australian businessman waiting for the new government to emerge. His idea is to set up a "dark side of Bulgaria" package tour. This would include a visit to the Vitosha Casino where Mehmet Ali Agca was set up to shoot the Pope. There



would also be visits to Kintex, the sinister arms trading company, and perhaps to the poisons research laboratory of the interior

ministry. Although this sounds fanciful, it is part of a general trend towards what might be called "anti-tourism" in Eastern Europe. It shows you the worst of society from the beginning, no place on the "bad sights" package tour should definitely be the Cafe Mamura on Sofia's Vitosha Boulevard. Here, says Nadezda Mikhailova of the Union of Democratic Forces, "you can buy a woman, drugs or a gun — a disgusting place". All I wanted was a cup of coffee. The waiter took the order and then opened the field for the black marketeers at surrounding tables. The first

and second visitors offered to change dollars into leva at an advantageous rate; the third, very friendly, settled down to discuss the beauty of Bulgarian women and in particular his cousin, who was waiting outside in a taxi. The final visitor before the coffee arrived, suggested a range of marijuana brands or "something stronger".

Before the elections the former communists ran an unimaginative but easily digested video clip as part of their campaign. Bulgaria, it said, used to be like this: trim athletes, bespectacled researchers, happy smiling shop attendants. Now, it is like this: cut to pictures of

prostitutes, drugs and stolen cars. The propaganda point seemed to be worth pursuing in more respectable surroundings than the Cafe Mamura. But it soon emerged that truth can be the first casualty of democracy. The left-leaning sociologist, questioned on the new drug problem, swore that "only gypsies" became addicts in Bulgaria. An anti-communist researcher said that "only children of communist fat-cats" had sufficient money to indulge in drugs. Whatever the truth, Bulgaria seems to have become a seedier and more corrupt place over the past year.

The alternative 'Oscars'

The British fashion awards have been handed out. Liz Smith nominates her winners from a week that saw everything from classic good looks to fashion with teeth

A fresh set of the gold and silver Gauguin-inspired figurines (created by the British jewellery designers Wright & Teague), which are the Oscars of the British fashion industry, were handed out to fashion's top designers last night.

The official award-winners are picked, of course, by a supposedly democratic poll taken from a cross-section of professionals in fashion retailing and publishing. At the end of the hoop-la of shows that supposedly sums up contemporary British style, I nominate the real winners and losers this week. The criteria here are taste, both good (for example, Jean Muir) and bad (the dental-phobia of Red or Dead with its trimming of sets of false teeth), wearability of the designs (Roland Klein and Nicole Farhi both score), and the sheer resourcefulness shown by some when bereft of either capital (Helen Storey) or new ideas (Pam Hogg's slavish punk revival).

Jasper Conran wins the award for designing the most desirable clothes of the season. He did not stage a catwalk show this season (another award for Mr Conran here, for the good sense behind that decision) but basked in compliments on his busy stand at the fashion exhibition for his clean-cut jackets and side-split collarless coats in white crepe drap, ice pink silk or pale cotton drill that were racked up alongside a choice of straight trousers, short wrap skirts or sexy, long-line skirts to wear with them.

His tough fashion schooling on Seventh Avenue in New York shows in Mr Conran's no-nonsense approach to how women want to look, and he supplies body-hugging tops with simple scooped necklines and a chiffon shawl to flutter gracefully around the shoulders of his halter evening dress. Orders are particularly brisk on one long bias-cut number in heavy crepe, seamed to hold flatteringly on the hips with its inbuilt two-way stretch and flare out extravagantly from there to the ankles.

Jean Muir's accolades must span the 25 years of her own label, but today she wins my award for implacable chic and for adding a sunny cobalt blue to the navy that remains her base colour. Fine menswear suiting has been added to the supple suedes, jerseys and, for summer 1992, linen. All are moulded with the same gentle curves and waving edges into graceful jackets worn with her new two-tiered, scalloped-over-straight short skirts.

Roland Klein returned to the catwalk after an absence of two years spent establishing his own successful company, and wins an award for wearable clothes that combine verve and colour with versatility. He showed his vivid speckled tweed jackets worn with the sort of striped pleated silk skirt or short sarong that will get them

into the Royal Enclosure at Ascot as well as worn more casually over a pair of jeans. "Comme ça, comme ça," this French-born designer says, as he demonstrates how a jacket in bold black and white checked cotton piqué looks chic with a plain skirt or is mixed with even more pazz with checks or spots in endless combinations of red, black and white.

Workers For Freedom wins for prettiness and just enough quirkiness to make fashionable ideas fun. Known for its shirts that are embroidered and appliquéd, which Paul McCartney orders by the two dozen when going on tour, Richard Nott and Graham Fraser of Workers For Freedom simply



Tomasz Starzewski's cream silk and organza jacket and wrap skirt. Hat by Nicholas Oakwell

knot them for summer over tiered ballerina skirts and add a bustled sash of tulle to tailored trouser suits. The clean lines of a short linen T-shirt that zips up the back is the base of the collection, worn with an asymmetric two-layered skirt or a long, slim sarong.

Tomasz Starzewski gets an award for the most stylish line-up of high-society customers at a show this season, and for parading



Resourceful: Helen Storey's blue and cream striped acetate taffeta dress with "snail" train

the sort of young, sassy suits and evening dresses that will make them visible in a crowd. His two highest-profile clients, the Princess of Wales and the Duchess of York, were not there, but the rest, including Princess Katarina of Yugoslavia and Debbie von Bismarck, enthusiastically applauded princess line dresses with off-the-shoulder collars, pretty but daffy-looking smocks with pierrot-collars and neat swing coats in colourful silk. He should also get an award for having the chutzpah — in a recession — to turn a Knightsbridge house into a combined couture studio and shop.

Helen Storey gives a new twist to the British Fashion Council's More Dash Than Cash award, a category for which her reactionary and expensive designs do not normally qualify her. The zippy phrase, in its original conception, was *Vogue* magazine's tag for its pages of sensible buys for the fashion-conscious, and Ms Storey

would be dismayed to find her creations considered sensible. "Innovative" and "New Generation" are her style classifications.

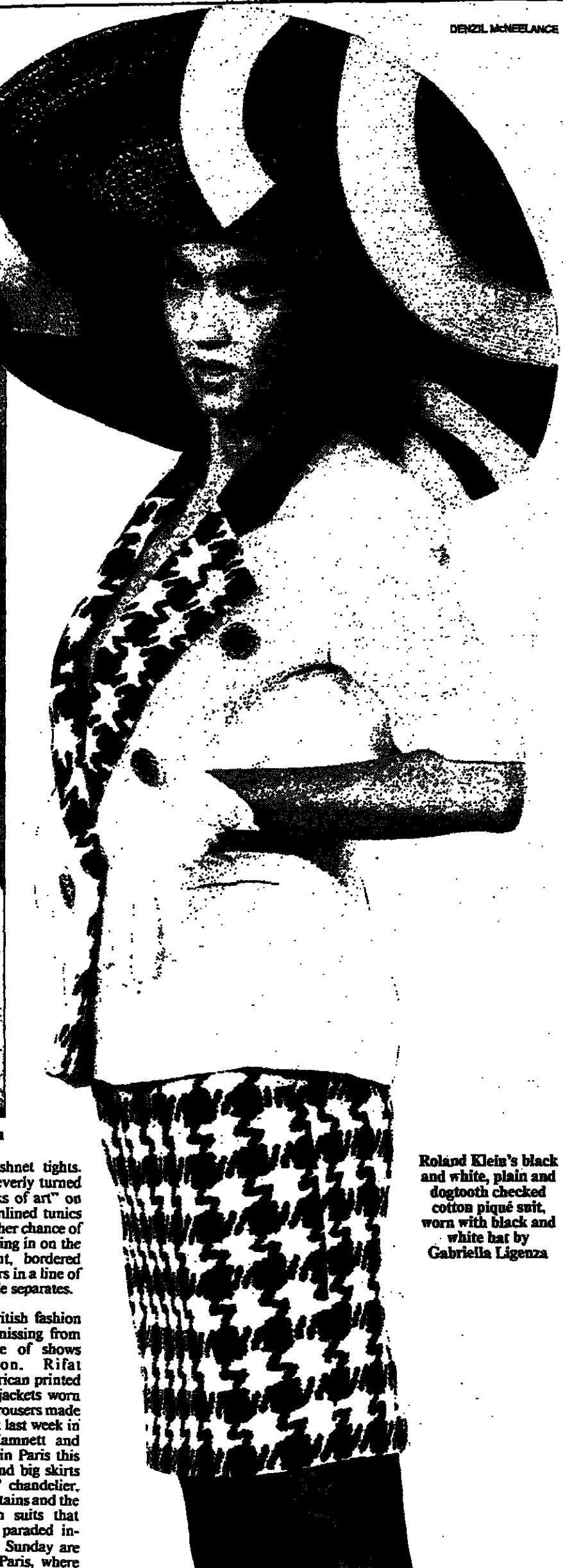
My award, however, is given for resourcefulness. Courtaulds, ICI and DuPont all came up with fabrics from Bri-nylon to a reflective silver cloth normally used to trap heat in greenhouses, all within Ms Storey's budget of £1 a metre, which she turned into evening dresses with trains looped up and secured with zips. If nothing else, her award this season is won for her "snail" dress, the billowing striped taffeta confection shown here, made from Courtaulds acetate, with a boned shell of a train strung up behind.

John Richmond's leather fencing jackets and waistcoats, ruffled shirts and tattooed or sequinned sleeve T-shirts win an award for him this season. They succeed in integrating fashionable corsetry detailing into his tough leather bomber jackets, which

were shown with fishnet tights.

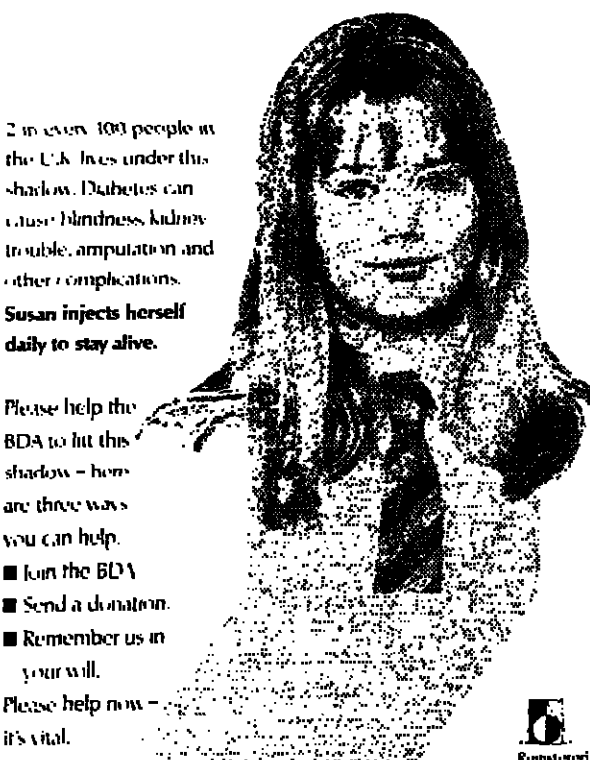
Zandra Rhodes cleverly turned her celebrated "works of art" on silk into more streamlined tunics and dresses but blew her chance of an award by not cashing in on the craze for flamboyant, bordered prints by parading hers in a line of more wearable, simple separates.

Too much British fashion talent was missing from the schedule of shows this season. Rifai Ozbek's Native American printed and bone-decorated jackets worn with fringed gaucho trousers made their successful debut last week in Milan. Katharine Hammett and John Galiano show in Paris this week. The bustiers and big skirts printed with "salon" chandelier, sofas and swagged curtains and the gold pin-striped satin suits that Vivienne Westwood paraded informally in Soho on Sunday are being packed off to Paris, where she stages her main show.



Roland Klein's black and white, plain and dogtooth checked cotton piqué suit, worn with black and white hat by Gabriella Ligenza

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Buttoned up with plenty of zip

Small, but variously formed, the button has provided one of the most enduring of subjects for designers and artists

A forthcoming and glamorous book focuses attention on the hitherto rather neglected subject of the button: the seductive array of thousands of examples spanning thousands of years (separated from whatever garments they once adorned and

photographed as art objects) leaves one wondering why one has never really looked at the little blighters before. And yet, the buttons often sell the clothes — one has only to look at the much-aped Chanel jacket, the classic blue blazer, a 1960s Jean Muir crepe dress — whose sole decoration was an endless parade of cloth-covered hillocks — or even that last pair of spats you bought, to see that without the humble button, the basic item of clothing dies the death.

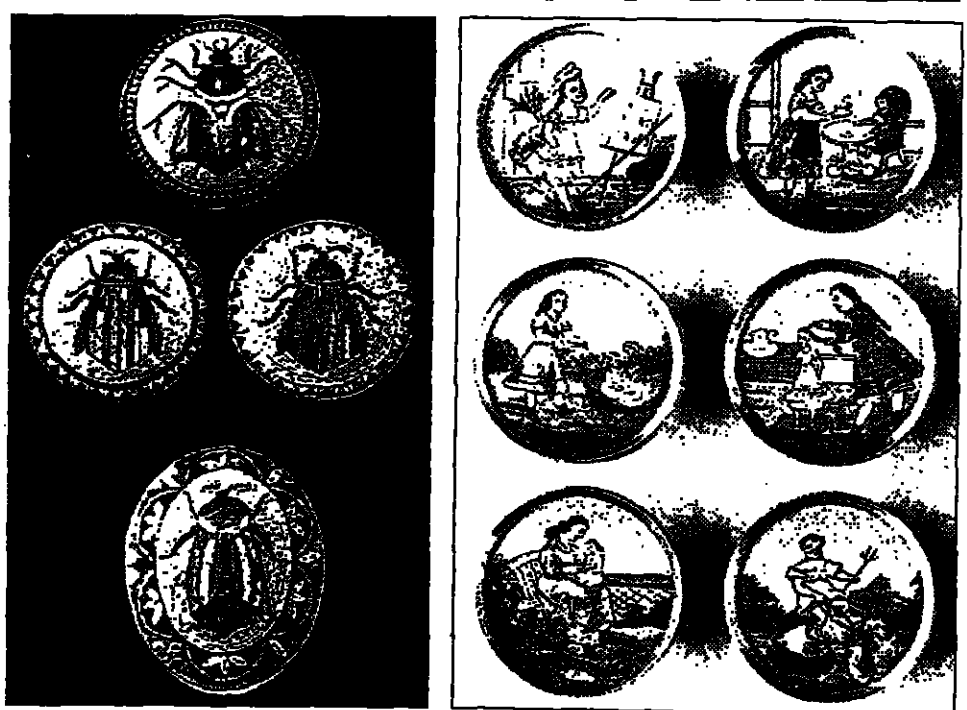
Did I say humble? Well, buttons can be, of course — the mass-produced plastic variety that litter the carpets of certain Oxford Street clothes shops, and those workaday numbers skulking beneath flies and plaquettes — but elsewhere are buttons in every material, form of workmanship, style, colour and finish imaginable.

The earliest recorded buttons were found in Persia, Greece and Egypt, and date from 2000BC, but the golden age was the 18th century, when developments in silver and porcelain flowered into the highest form of decorative art — and nearly all of the most exceptional examples were

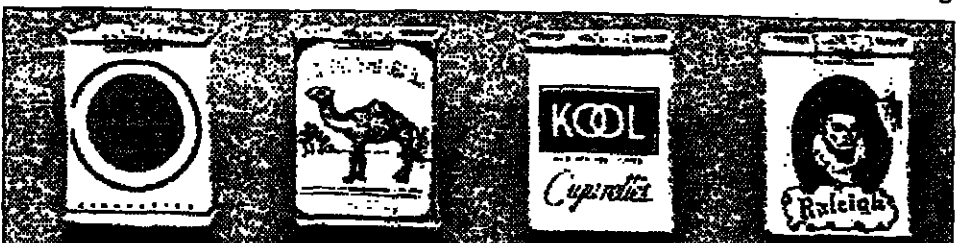
sported by gentlemen on gorgeously embroidered waistcoats, frockcoats and linens.

Among the most dazzling 18th century buttons are the carved ivory examples from France: paper thin sheets of ivory were glued to dark stained wood and then painstakingly carved away to form bas-relief cameos reminiscent of Wedgwood's Jasperware. Enamels, paintings on silk, watercolours under glass, precious and semi-precious stones, mosaic and mother-of-pearl were all explored to produce some of the most valuable and sought-after buttons in the world today. The traditions continued into the 19th century, when photography, too, was used and manufacturers such as Liberty & Co had one more surface upon which to lavish sumptuous art nouveau curves.

Buttons, the book, shows more than 1,000 examples from the collection of Diana Epstein and Millicent Safro, the proprietors of Tender Buttons, a button emporium in New York. Tom Wolfe, a customer, contributes a preface in which he tells of a screening of the film *Death in Venice* at



Top hole: left, early 20th century mosaic insects; right, 18th century French reverse painting



American cigarette pack lookalikes, made of paper, after 1941

which one of the audience shattered the tension of a scene between von Aschenbach and Tadzio (dressed in a military style tunic with gold buttons) by declaring "Look, darling! Those buttons! To die!"

Enthusiasts today tend to collect mass-produced examples from the 1930s onwards — because they are more affordable, and because they tend to be fun. Having said that, a complete set of seven brass buttons from the 1940s (each depicting one of Snow White's dwarfs) could set one back £500. A better bet would be

the largely American Bakelite buttons of the 1930s to the 1950s, usually looking like anything but a button: dominoes, clothes pegs, chess pieces, fruit, dice — even cigarette packets: proof that the 1980s did not invent the era of glorious junk, but merely carried on the tradition. Better yet, buy the book: it has colour, splendour, and is not half short of zip.

JOSEPH CONNOLLY

Buttons, by Diana Epstein and Millicent Safro, published October 21 (Thames & Hudson, £25)

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Playing on old words: Benedict Nightingale assesses recent theatrical revivals, and (below) Robert Temple describes the rebirth of an ancient play

Wring out the old, but bring in the new



Providing a chance for fine actors to appear in classics: Janet Suzman in the Almeida's revival of *Hippolytus*

On the night of Duncan's murder, lamentations and screams of death were heard in the air, and there was prophesying with accents of dire combustion and confused event. On the whole, it sounds much like the noise that regularly rises from the arts pages as my colleagues contemplate the death of new drama. All around the talk is of crisis, collapse and the end of an era. Where are tomorrow's Pinters and Stoppards, Osbornes and Grays? It is as if theatreland had been nuked by terrorists.

Along with this yearning for the new goes a suspicion of the old. Deborah Warner, Adrian Noble and other fashionable directors are attacked for concentrating on the classics. The very word "revival" now has a menacing ring, as if it was part of a conspiracy to oust exciting new playwrights from the stage. To judge by some comments, the terrorists might be a gang of killer-professors who keep the works of Thomas Kyd in their sandwich boxes when they go on bombing missions.

Let's agree that it would be nice for contemporary audiences, and good for the theatre's future, if the standard of new drama were higher. Let's even concede that producers are increasingly turning to revivals to fill the gap. Have not *Hedda Gabler*, *Our Town*, *Waiting for Godot* and *Anouilh's Becket* all opened in the West End in the last month or so? Has not the early autumn also seen major subsidised theatres come up with Ibsen's *Pretenders*, Wilde's *Woman of No Importance*, Sam Shepard's *Curse of the Starving Class*, Euripides's *Hippolytus* and Sternheim's *Knickerbocker*. But let's not automatically assume, as many do, that this is necessarily a sign of sickness and decline.

It depends what is meant by those buzz-words new and contemporary. One of the West End's few premieres this year was William Nicholson's *Map of the Heart*, whose hero was an English doctor captured by African guerrillas. Yet his predicament seemed

less interesting to his author than the affair he had been having with a fellow-relief worker and his ravell'd relationship with the wife he had left at home. The play was just another triangle-drama, given specious novelty because it involved that topical figure, the political hostage. It was chronologically "contemporary", but actually a blend of old hat and old rope, and in every vital respect more dated than Chekhov's *Three Sisters*, Pinter's *Homecoming* and Durrenmatt's *Visa*, all of which were in London around the same time.

Let's not be misled by the calendar and the clock. New plays are often old plays, and old plays sometimes new ones. Present Anouilh's colloquial version of *Antigone* in occupied Paris, and Sophocles' portrait of collaboration and resistance echoes more painfully than it probably did in the Athens of 442 BC. Stage *The Three Sisters* in a Prague just invaded by Brezhnev, and even a Russian tale of disappointed hopes becomes a forlorn focus of public discontent. Those are extreme cases, occurring at times of obvious disaster. But in a less calamitous era, such as ours, it can still be the antique play whose finger is placed most firmly on the contemporary pulse.

One of the few growth industries in our theatre has been of work attacking the alleged greed of the Eighties. Most of these plays were still-born and have already been forgotten; and then, just this year, came Trevor Nunn's modern-dress *Timon of Athens*, with its beautiful people, soulless offices and run-down city streets. It was Shakespeare's tale of the financial collapse and social rejection of a celebrity do-gooder which hit the target that his politically committed descendants had mostly missed. *Timon*

had become for the later 20th century what the equally underrated *Troilus and Cressida* was after the Great War: an excitingly controversial tract for the times.

Some plays take on special social meaning at particular times. Others, of course, have more moral or emotional permanence. What is the most powerfully modern work about the destructive power of love? Quite possibly Euripides' *Hippolytus*, presently running at the Almeida. Where are we to look for a definitive dramatic statement of the view that human relationships differ from animal ones only in the evasions of language? Why, in Pinter's *Homecoming*, recently revived at the Comedy. It is a truism, but now-a-days it needs repeating. Classics become and remain classics not because time gives them specious respectability, but because they are unusually bold, rich and arresting: in short, better than other work.

Equally obviously, they offer opportunities to performers rarely to be found in the drama of the day. Think of Robert Lindsay, so powerfully restless in the current revival of Anouilh's *Becket*, or Antony Sher, exuding sly and charismatic evil in Brecht's *Arturo Ui*, or Fiona Shaw, an unforgettably tormented *Hedda Gabler*, or Janet Suzman, the shattered Phaedra of *Hippolytus*, or even Timothy Spall, gorgeously spluttering through *The Government Inspector* at Greenwich. And why have we valued Olivier, Gielgud, Ashcroft and the other actors? More for the depth they brought to classics than for their occasional dabbings in the contemporary pond.

There are, of course, revivals and revivals. The new production of *Our Town* is pretty bland, and the RSC has elegantly resuscitated *A Wo-*

man of No Importance, only to prove it a meretricious mix of epigrams and melodrama. Yet the lack of new drama has encouraged some producers to explore the archives with unprecedented resourcefulness. Middleton's *Old Law* was recently staged for the first time since 1623 and amazed us all by being a futuristic piece about euthanasia. The Elizabethan chronicle-play, *Sir Thomas More*, turned out to have something to say about the ills of nationalism, represented by a London mob raging against foreign refugees. The forgotten Murphy, Crowne and Shadwell have all been added to the list of eligible post-Restoration comic dramatists.

More important, the great Corneille has at last got a foothold in England, and not just because of those sprightly comedies, *The Illusion* and *The Liar*. His *Polyeucte* turned out to be a tragedy of huge moral subtlety, set in a place and period barely touched by dramatists before or since, a Roman Empire nervously reacting to the bizarre necromantic cult, Christianity. That was staged at the Gate, a theatre which has persistently proved it unnecessary to be large and geographically central to rescue plays from oblivion. Not only has it reminded us of the importance of Lope de Vega and Hebbel, Calderon and Arrabal: it has rediscovered Marie Louise Fleisser, author of two wryly observant plays about German small-town life, *Pioneers in Ingolstadt* and *Purgatory in Ingolstadt*.

Both must eventually find their way into the National's repertoire. But then so should Babel's *Marya*, Schwartz's *The Dragon*, Goethe's *Tasso* and a dozen other recently revived plays. Theatre historians of the future may look back on the Sixties and Seventies as fertile years for new drama. But they will remember the Eighties and Nineties with gratitude, too. Has there been a time when the past has been more thoroughly, creatively and excitingly excavated?



Known more for the depth he has brought to classic than to contemporary plays: Derek Jacobi in *Becket*

How could any scholar resist the temptation to make the world's oldest surviving literature accessible to our age? I was already working on a free verse translation of the work best known as *The Epic of Gilgamesh*, to which I have restored its original title, *He Who Saw Everything*. Then came the archaeological discovery that proves what I had long suspected: that this ancient epic, originating in 2,500 BC from the region which is now Iraq, existed also in script form, and had a chorus rather like that in Greek drama. In other words, it must have been staged as a drama, predating Aeschylus's plays by 2,000 years.

The discovery is particularly timely. *He Who Saw Everything* has already had initial readings at the National

Mother of all theatrical epics

Theatre Studio in London, under Tim Supple's direction, rehearsals and development are to continue throughout 1992. When Supple first expressed interest in experimentally staging *Gilgamesh* at the National, I confessed that my gut feeling about *Gilgamesh* being intended as a play could probably never be substantiated. Then, just one week later, in a German scholarly journal called *Zeitschrift für Assyriologie*, came a report by two Soviet archaeologists that they had excavated some tablets near Yerevan in Armenia. They were clearly fragments of *Gilgamesh* in script form. The tablets contained

speeches headed "Gilgamesh Speaks", "Siduri the Cup-bearer Speaks", and even "Pap", which means "all" and clearly designates a chorus. These fragments are in the strange language of Elamite, in which no other literary texts are known. It is related to the present-day Tamil language spoken in the south of India. At that time, it was the language of the kingdom of Elam, in what today is southwestern Iran. The obvious question is: how did Elamite fragments of a staged version of *Gilgamesh* survive in Armenia, which is many hundreds of miles to the north of Elam? The Soviet archaeologists speculate that

they date from a time when an Elamite princess travelled with her entourage to marry the King of Armenia. As part of the wedding festivities, she may have requested the performance to be staged in her own native language, even though none of the Armenians would have understood it.

Centuries later, Greek plays by Euripides were staged in Armenia in Greek, which the Armenians did not understand either. So watching foreign-language drama may have been a tradition there. Presumably it was the spectacle which counted. And after all, modern British audiences have re-

cently demonstrated a willingness to sit through hours of Japanese drama.

The name *Gilgamesh* means "the heroic ancestor" in Sumerian. The Sumerians and the earliest Egyptians founded the first great civilisations in history. Apart from creation legends, the *Gilgamesh* material is the central literary legacy of this incredibly ancient culture, and is thus 4,500 years old.

The story of the hero Gilgamesh was kept alive for 2,000 years by the successors of the early Sumerians: the Babylonians and later the Assyrians. The Greek mythological hero Hercules derives partly from him: both were often

depicted wrestling with lions. The earliest accounts of the Great Flood and the Ark occur in *Gilgamesh*, although the figure known 1,500 years later as Noah was originally called Ziusudra, and instead of his Ark landing on Mount Ararat, it landed on Mount Nisir. In my book I speculate on the connection between these two mountains. *Gilgamesh* also describes the Ark very precisely as a cube, and even in the Bible the Ark is called by an Egyptian word meaning "box" rather than "ship". All very mysterious, intriguing, and good fun. Just the sort of cosy read for a rainy 40 days and 40 nights.

ROBERT TEMPLE

● He Who Saw Everything: A Verse Translation of the Epic of Gilgamesh is published by Rider Books on Thursday (£12.99).

IF WE dislike the Japanese it is perhaps because we recognise in them too much of ourselves. They, too, are a proud island race, which though irremediably racist has acquired most of its culture from the nearest mainland. They too play rugby; they have - God help us - rap "artists".

Even Japanese hypocrisy finds its mirror image on these shores. Scanning the schedules for Radio 3's current "Japan Season", I can find nothing about that nation's sterling efforts to improve the Burmese railway system in the early 1940s.

Acting Up (Wednesday) examined the position of women in the land of the soaraway sun; which is to say

RADIO

Sharp disputes

that it hired a 24-year-old female native who had lived in America for 17 years and got her to traipse around Tokyo asking the obvious heretical questions. Why, for example, could a housewife not get her husband to do the dishes while she took a part-time job? Because (a) women's pay is too paltry to make it worthwhile; and (b) the husband would need to submit to an intensive course in kitchen-sink technology before he

could be trusted with anything more complicated than a brace of chopsticks.

Every woman interviewed said the same thing, over and over: Japanese men are children. Their mothers spoil them, their wives mother them, and even the corporations for which they live and breathe and have their daily being are a kind of great providential sow. And - a nicely Lawrencean touch, this, evincing a Victorian sense of the proprieties - they hand their salaries over to their wives, who remit a small portion as pocket money.

Though leading by Western standards a life of acute social deprivation, the token housewife with her regulation two children and Lilliputian apartment declared a certain satisfaction with her lot. Why, every morning she could drink coffee on her own. One morning with friends. As for other expectations, "It doesn't matter who you get married to, I think." A bar hostess who claimed to drink 40 bottles of beer a night in the line of duty opined that men should marry each other. "At least they would have something in common."

Inoue Hisashi's play *Yabehara - The Blind Master Minstrel* (Sunday) had little of domestic tranquillity. The eponym's father, a rascally 18th century fishmonger, pioneered the art of murdering blind troubadours for gain. On learning that his own infant son was blind, he loudly slit his own throat; the son went on to become a standard and upwardly mobile master minstrel. The lesson of this play is clear: if you want to get ahead in Japanese society, get a knife.

MARTIN CROPPER

TELEVISION

Desperate cry from the wild

THE return of *Nature* (BBC 1) is, like mist on the motorways, a further sign that autumn is here and proper television is back. Previous series consistently pulled off the trick of taking what are broadly natural history subjects and putting them in a political, economic or environmental

each. Not bad for a home with a view of a game reserve, except that most of these people have never seen a wild animal.

Their forebears lived on what is now the game reserve, but were forced out. They want their land back: the cry of the dispossessed from the American Indian to the Australian Aboriginal. But these people have powerful support, up to a point: enter Nelson Mandela, in the back of a Land Rover, to say that he understood the vital need for foreign exchange, which the game parks supply, but the system had to change so that the indigenous population took some benefit from the wealth created.

This sounds reasonable enough, especially when you find women who used to have water five minutes away now making a round trip of eight miles twice a day carrying containers of such a weight that the women are developing permanent pelvic deformities. Mandela, whose capacity for compromise may be the one hope of avoiding a descent into chaos, supports a pilot scheme elsewhere in which the local population has a stake in a game park. The only trouble is that the people of Matsulu are not interested in compromise. They want it all, now. And they seem to regard getting it all, now, as a virility test of their leaders - one of many such tests, and given the tribal rivalries, not the least of them.

The de Klerk government has its own balancing act, which explains why the min-



Mandela: supports schemes with community benefits context. Last night's opener, "Fair Game?", did all three. South Africa has been a political story for so long that there was little chance that the rhinoceros and the rest of its abundant game could have escaped the net. After *Nature* had gone to the Kruger National Park for the standard footage of (mostly) white people decked out in safari outfits for their annual holidays, it went next door, where the people of Matsulu eke out a living in a place where houses change hands for £60

Abbado resigns

THE Viennese musical establishment has been astonished by the resignation of Claudio Abbado from the directorship of the Vienna State Opera, on grounds of ill-health. Abbado will conduct the remaining two performances of *Boris Godunov* in Vienna and then relinquish the post, though his contract was to run until 1997. His workload, already substantial in Vienna, increased markedly in 1989 when he succeeded Karajan as chief conductor of the Berlin Philharmonic. He has, however, said that he intends to retain his concert engagements with the Vienna Philharmonic.

Makers in the playing field

THERE is light at the end of the tunnel for the film version of *At Play in the Fields of the Lord*. Peter Matthiessen's ecologically flavoured novel spent some 20 years as one of Hollywood's best-known unmade films. Saul Zaentz, producer of *Amadeus* and *The Unbearable Lightness of Being*, finally began shooting last year, with Hector



To star: Tom Waits

Babenco as director, and with Tom Berenger and Tom Waits in the title roles of mercenary pilots. The film opens in America on December 6.

Last chance...

IN *Bold Girls*, Rona Munro brings a woman poet's perspective to life in Belfast. The daily struggle of cheerful or fretful domestic survival may be punctuated by distant gunfire or news of road blocks but life is still a mosaic of small hopes, great aspirations, bitter disappointments and the perpetual balm of mutual generosity. Naturalism and a touch of the fey mix uneasily, but John Dove's direction at Hampstead (071-722 9301, ending Saturday) inspires at least one magnificent performance: Imelda Staunton - brassy, disgruntled, desperate to escape, funny and touching.

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No place for nostalgia

Daniel Johnson says the England he loves is the country he lives in and not the dream that is irrevocably lost

Whether we admit it or not, each of us thinks of England in the light of his or her unique experience. That experience is bounded by the horizons of time and place. The television series that begins tonight on BBC2 should really be entitled *Think of England*. There are as many Englands as there are Englishmen: living and dead, native and adoptive, real and fictional men and women.

"A nation is nothing but a collection of individuals," wrote David Hume. This simple insight was once the received wisdom wherever English was spoken. Long before Margaret Thatcher fell, however, it had become unfashionable to say "There is no such thing as society." She meant no more than that collective nouns — society, class or community — denote abstractions. Even the nation, the only plurality for which most people would sacrifice lives, exists only in the minds of those who comprise it.

My England is not yours, nor is it mine to give away — not even to my son, who is 20 months old and already knows about an England of his own, one which could hardly be more different from that in which I grew up. One can show and tell, as one did at school: even so, the past cannot be shared with the future, and children should not have to lead their lives at second hand. Each individual's nationhood is self-sufficient, almost an island entire unto itself.

Almost, but not quite. Every English life, as an item in the reckoning of this country's ledger, has an effect on every other life, however infinitesimal. Although England consists of individuals, they can only find themselves on a continuum of opinions, customs and habits. We are born on the summit of a colossal pyramid of tradition. To be fully conscious of one's country, one must try to find a path down through the sealed chambers of this edifice.

To see England in this way is, of course, already to come up against one's limitations. Mine is among other things, a scholarly England, in which history, philosophy and literature have usurped a disproportionately large share of the action. Crudely, this means that the Round Reading Room matters more to me than Wembley Stadium, just as parliamentary sovereignty matters more than the Channel Tunnel.

But my England is not quite that of Roger Scruton, whose *Thinking of England* viewers will see next Tuesday. At a fringe meeting at the Tory conference in Blackpool last week, he told his audience that he would rather vote for a foxhunting Labour candidate than support a Conservative who opposed field sports. His foe is the evil axis of "Euro-Britons" and "the yuppie commuter and the hunt saboteur".

Such zeal in defence of one's idyll is admirable, but the English countryside has survived greater threats than these. Besides, I cannot plead absolute innocence. I am no Euro-Briton, whatever that is, but I have spent long periods in central Europe without ill-effects (as has Roger Scruton). Though as a resident of Stoke Newington I do not count as a commuter, I suppose I try to be as upwardly mobile as Roger Scruton, who lives in Notting Hill; and though no hunt saboteur, I eat no meat. I suspect few mortals approach the Scrutonian ideal.

Indeed, every time one scratches the surface of an English myth, it turns out to be an import. This is especially true of the hostile ones. The most recent stereotype — the "dirty man of Europe" — started life in Germany, as did earlier ones, such as the "English disease" recently lamented in eastern Germany, and the old favourite, "the land without music". French pleasures have our food and our women as their butts, and some of us repeat them.

The England in which I live is the product neither of an inferiority complex nor of romanticism. The thousands of Hasidic Jews, Asians, Afro-Caribbeans, Greeks and Turks who live within our borough have been here longer than the middle class gentrifiers. Perhaps they resent our intrusion, just as I resented the people who bought the house in which I grew up: the unpretentious old place now looks like a neo-Georgian imitation of its former self.

Many immigrants and their descendants, whose roots may lie abroad but who have settled in London, are as baffled as I am by the speed with which the English are dismantling their culture. As Nirad Chaudhuri writes: "I am ashamed to live in England today. What a country of illiterate creatures it has become."

On the way to work, I pass a crossroads in Dalston, a desolate East End scene with tower blocks rising in the distance. Rising above the din of traffic, by the overgrown foundations of a demolished church, perches the ruin of its listed vicarage: saved from the bulldozer, but now almost certainly beyond rescue. It is a gothic Venetian palazzo, a Victorian folly in the midst of less praiseworthy follies of the post-war regeneration.

In this ruin I see England as it was, but now surrounded by corrugated iron and plastered over with pop posters of the minstrels of England as it is. A melancholy vignette, no doubt; evidence that the modest competence of good taste inherited from our ancestors has been frittered away. But the England I love is the one I live in, not that which is irrevocably lost. By dint of hard work and reverence for these gaunt reminders, we may yet renew our civilisation.



Hasidic Jews: should they resent the gentrifiers?

Roger Boyes asks how Eastern Europe's new states can settle old scores with communists

Thirsting for revenge

Todor Zhivkov, the malign buffoon who led Bulgaria for more than 35 years, recently celebrated his birthday in his grand-daughter's mansion outside Sofia. It was a particularly joyous occasion since, having reached the age of 80, he can no longer be put in jail. In Chile, Erich Honecker's son-in-law is building an extension to his home ready for the moment when the former leader of East Germany can skip out of Moscow.

Apart from Nicolae Ceausescu — and even in his case there have been strange sightings in South America — the old communist leaders seem to be getting off scot free. Since most headed police states and wrecked their countries' economies, this is causing deep resentment. To many, the revolutions of Eastern Europe remain incomplete until there is a thoroughgoing reckoning.

But there are legal, political and moral problems. How is one to deal with those who acted legally, but immorally, under an authoritarian regime? The West imposed an imperfect "de-Nazification" process on West Germans after the war, and the Nuremberg trials to some degree settled the question of political responsibility for war crimes. Now a new generation

of Germans has to tackle the problem: former East German border guards who killed escapees were obeying orders, but is this any longer a sufficient defence? And can these men be judged in isolation from those who gave the orders?

The Czechoslovaks have advanced further towards the "de-Nazification" model, with a process known as *lustrace* ("purification"). Earlier this month, a *lustrace* law banned agents, identified informers and former party officials from holding jobs in the state administration or in state-run factories, for five years. One result is that Czechoslovak communists are rushing to set up private companies where they can work freely. This in turn is perpetuating a disturbing East European trend: the conversion of communist political power into economic influence. A manager from East German railways recently set up a private consultancy to advise the railways how to correct the bad policies that he once implemented.

If the communists had simply

disappeared after the 1989 revolutions, there would be no problem now. But they are still active and in many cases thriving. This has kept alive a thirst for revenge from those who were wronged during the communist era. Ahmed Dogan, a Bulgarian Turk, has been jostling to become interior minister in a new non-communist Bulgarian government. His motive, he tells anybody who cares to listen, is to weed out and prosecute all those responsible in the 1980s for forcing Turks to change their names and abandon their villages and ethnic identity. Mrs Margot Honecker — Erich's wife and a former education minister — accuses the West Germans of *siegerjustiz*: the rough justice meted out to a defeated nation by a victorious power.

The Polish parliament, although still stacked with ex-communist deputies, has just decided to refer to trial the former prime minister, Mieczyslaw Rakowski, for closing down the Gdansk shipyards in 1989. This is the strangest of moves, designed more to honour an election pledge

of President Lech Walesa than to settle accounts with the communists. A more obvious candidate for a trial would be General Wojciech Jaruzelski, who in 1981 imposed martial law. This involved the internment without trial of 5,000 Solidarity activists and the subjection of thousands more to the sometimes brutal procedures of military courts. The general could make a case for mitigation — he was after all the first communist leader to share, and thus surrender, power — but there is a case waiting to be answered.

The communists have had a couple of years to develop their defence, arguing that they reconstructed cities and built new hospitals, and protected people from unemployment. Markus Wolf, the former East German spy chief, has refined these arguments. Why should spying on West Germans be any more culpable, he asks, than Western spying on East Germans? This is the argument of moral equivalence, and though superficially persuasive, should be dismissed.

To be active in the police force of a police state is to be a willing instrument of repression. Plainly a spy for an authoritarian society is more culpable than somebody who spies on behalf of a democratic order. The difficulty is in establishing the legal, rather than moral, responsibility for such activity.

Post-communist states should meet this challenge either by introducing constitutional tribunals, or giving more teeth to those that already exist. These bodies may not have the same force as civil courts, not have the dramatic potential of show trials, but public grilling of former communist leaders could make an important point. The aim need not be to jail the old-age pensioners who once ran Eastern Europe, but to pinpoint their crimes. The brief of such tribunals should be extended to include not only party chiefs, but secret police officers and other officials. The proceedings should be televised in the manner of American senate hearings. Eventually the disgraced leaders might be granted an amnesty, but only after their personal responsibility has been established for the mess and occasional savagery of post-war communist rule.

Both men and women can meet verbal bullying at work, and legislation will not stop it, contends Janet Daley

One of my favourite Michael Heath cartoons shows a group of pigs dressed in men's suits, standing on their hind legs at a bar. One of them is saying "I don't know what the hell all these bloody women are going on about." Not being able to see the obviousness of one's own behaviour is a failing so common that legislating against it seems fatuous.

With its unquenchable optimism about the power of constitutional law, the United States permits itself no doubts. Undesirable behaviour must be prohibited by fiat. Indeed, this kind of faith in the ability of a people to create (and re-create) itself in a chosen image is the backbone of American civic philosophy.

But when does behaviour merge into attitude? And which is it that we are trying to control when we make sexual harassment illegal? For a man to threaten a woman with the loss of her job because she will not have sex with him is straightforwardly iniquitous. It is not so very different from forcing a woman to have sex by threatening her with a weapon, or by menacing her children. I doubt that any new legislation would have been required to establish such a thing as a form of unacceptable intimidation.

For a man to hint or imply that a woman's job or career prospects may be in jeopardy if she is uncooperative sexually may be more difficult to prove, though no more so than, say, the kind of hints and innuendos used by blackmailers when they wish to make clear what will be the consequences of failing to meet their demands. Indeed, blackmail, not rape, is the crime most akin to this kind of sexual harassment.

But the conduct which is now under such riveting discussion at the centre of America's latest political soap opera is of a different order. Whatever Clarence Thomas did or did not say to Anita Hill, even she does not claim that her refusal of sexual favours brought to an end her promising career (or even her employment with him). She alleges that she was a captive audience for his sexual bravado and tasteless banter, and we are asked to accept that his behaviour was an offence.

There are a good many people (not all of them male) who find this sort of complaint ludicrous. They cannot see how words can be so objectionable that their use alone can be incriminating. An insult, perhaps, certainly a form of aggression; but surely not an indictable offence in the way that an act can be.

In arguing against this, feminists are caught in an uncomfortable contradiction. On the one hand they must argue that women are so vulnerable that words themselves are a frightening display of male dominance, one more weapon in the masculine armoury of oppression. But on the other hand, they have to argue that women should be encouraged to hold their own against male power, and that with a new self-image, mere words will lose their power to terrorise.

Certainly verbal bullying is very disturbing, but it is something which both men and women encounter in working life. Is it inherently more demeaning for a woman to be told by her boss that she is a frigid cow because she objects when he touches her than for a man to be told that he is a useless f----- because he failed to carry out an order? In the old fashioned code of gallantry, it was thought more offensive for a man



Judge Clarence Thomas, who denies harassing Anita Hill

to insult a woman because women were the "weaker" sex. But a man is not free to hit his boss if he wants to keep his job, so why should it be more venal for an employer to abuse his power over a female subordinate than a male one?

Real, no-nonsense victimisation is the least problematic case.

The bounds of sexual harassment have been enlarged to encompass virtually any behaviour which identifies a person as noticeably female. To complain about being paid a compliment (on your appearance as opposed to your work) seems, on the face of it, churlish and absurd. But how many women have been told with

a teasing grin that yes, they may be considered for the promotion so long as they promise to wear that short skirt again? And how many men would like to be told that they are valued at the office for their big blue eyes?

More than insulting behaviour, women seem to be trying to outlaw typecasting. For every woman who is actually propositioned or seductively persecuted at work, a hundred are forced to play games which are determined by the fantasies of their male colleagues. The office wife, the mother confessor, the dutiful daughter, the boss's "girlfriend": every working woman knows that to some extent she must decide which of these roles (or mixture of them) she will adopt in her job.

What do women want, asks the old riddle. According to the most reasonable rendition of the current orthodoxy, they want to be treated as people with the same right to self-respect and self-determination as men. They want their colleagues and employers to forget that they are women, at least for the purposes of the job in hand. I have, I confess, been known to utter such demands myself in the workplace. At which point, I am invariably reminded that it is not only women who are forced into psychological games by working life. Men manipulate each other constantly into higher and lower status by playing *parensfamilias* or senior prefect or psychopathic kid brother.

Perhaps the mistake is in having too idealised a view of work. Men have always known that a job is just life itself, with all its conflicts and injustices. Women, having fought so hard to be let into this world, thought that they would find a haven of rationality and grown-up behaviour. To admit to disillusionment would be heretical in the United States, because American political culture rests on the belief that all injustices may be cured by recourse to law. Perhaps mercifully, we in Britain are free to embrace despair.

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...and moreover

CRAIG BROWN

I once owned a Boy Scout's diary. It contained all sorts of useful information. At the back, there were illustrations to help identify the footprints of the rabbit, stoat, badger and deer. There were the flags of the world, a list of British monarchs, and a handy guide to cloud formations. At the front, there were knots galore, a picture of Baden-Powell sending messages across enemy lines by means of a kite, and a reminder of the Scout's Promise, including, of course, "A Scout makes good use of his time and is careful of his possessions and property."

Alas, no sooner had I committed the Scout's Promise to memory than I lost the diary while out wasting time with friends. It was only halfway through January, and I felt sure that I wouldn't be able to get through the year without it. But as each day went by, I felt that a great burden of Union Jacks and badger's feet and cumulo-nimbus and reef knots had been lifted from my back. There is no prospect more boring to contemplate than an approaching year jam-packed with useful information.

For the next twenty years, while my friends made the grim progress from Boy Scout diaries to sporting diaries to *Melody Maker* diaries to university diaries, I was rather proud to manage very happily without a diary at all. Then, at some time in the mid-1980s, I was browsing in the most captivating of Suffolk antique shops, The Clare Collector,

when I chanced upon a pile of diaries called *The Dodo Pad*. It was described on its cover as "a combined memo-doodle-engage-diary-message-memo book". The minute I looked inside, I knew that I had stumbled across a diary of such irresponsibility and uselessness that I had to have one. As I paid, the owner of the shop told me proudly that her husband, John Verney, was the creator of the pad. "They're very popular," she added.

How right she was! The *Dodo Pad*, published by Collins, is now in its 25th year and going strong. It consists of doodles, cartoons and very pretty drawings, of quotations and jokes and riddles, of unexpected anniversaries and dotty information. It is, in its way, a hymn to frivolity over industry, to charm over earnestness and to the scatty over the dogged. Now aged 78, John Verney has earned every right to be the standard-bearer for the great cause of irrelevance: he served with the SAS during the war, was awarded the MC and was twice mentioned in despatches, details you will not find in *The Dodo Pad*, where he takes on the merry persona of the omniscient Lord Dodo. In fact, what he once wrote of Edward Ardizzone's drawings could just as well be applied to his own: "In their tender and satiric fashion, they reaffirm human values and show the comic spirit everywhere bursting through the bonds of uniform even in the midst of tragedy."

The 1992 *Dodo Pad* has a

European theme. August 26, we are reminded, is the anniversary of the Battle of Crecy. A cartoon shows two knights in armour, one saying to the other, "I was mustered at Crecy." Henry James's death on February 28, 1916, is marked by his comment on the casino at Bordeaux: "quite the air of an establishment frequented by gentlemen who look at ladies' windows with telescopes". Elsewhere, the unlikely figure of E.P. Thompson is quoted from 1975: "This 'going into Europe' will not turn out to be the thrilling mutual exchange supposed. It is more like nine middle-aged couples with failing marriages meeting in a darkened bedroom in a Brussels hotel for a Group Gripe."

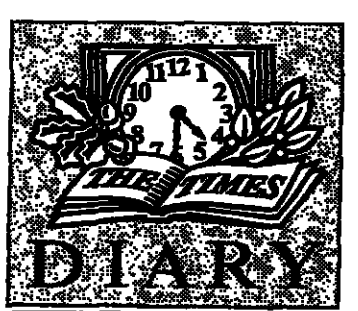
What happened on May 29? In the Boy Scout diary it would have been the anniversary of some horribly practical invention. In *The Dodo Pad*, it commemorates the birth of T.H. White, in 1906, with a lovely drawing of Arthur pulling the sword from the stone alongside the following anecdote: "T.H. White was a tall impressive man with a white beard. Once, answering the door of his house in Alderney, he was confronted by a group of Jehovah's Witnesses asking for money. 'Splendid,' he said, 'I am Jehovah! How are we doing?' For those who want to make rather less good use of their time, and want a welcome break from worrying about their possessions and property, I recommend spending next year in the company of Lord Dodo.

Back on the benches

TO Neil Kinnock's embarrassment, it emerged yesterday as the Commons reassembled that both Dave Nellist and Terry Fields remain Labour MPs, will continue to take their places on the Labour benches and are still taking the Labour whip. Although banned from the party's conference earlier this month, both men will take their customary seats tomorrow at the weekly meeting of the parliamentary party. What is more, party officials say that there are no moves afoot to change their status as Labour representatives in parliament. The news will surely ensure both men a rapturous reception from the Tory benches in the chamber this week.

Stan Orme, chairman of the parliamentary Labour party, yesterday confirmed that the pair remain Labour MPs. "The NEC decision to suspend them has no bearing on the parliamentary party. This is not on the agenda. It cannot be discussed tomorrow. No one has raised the matter with me as chairman."

Fields plans to continue speaking and voting on behalf of the party. "I am still a fully fledged member of the PLP and remain a Labour MP. I will be at the PLP meeting and I will continue to attend other meetings of Labour MPs," he says. This week he has been given the same voting instructions as other Labour MPs. The party even seems intent on cashing in on Fields's recent prison experience. Kinnock disowned his colleague when he was jailed for not paying his poll tax, but now Barry Sheerman, Labour's home affairs spokesman, plans to talk to Fields to see what lessons there may be for party policy from his time behind bars.



Shocked guests at a publishing party in Oxford Street last night saw the SAS apparently storm the building, hunting for Palestinian terrorists. The atmosphere was tense as the SAS men descended on ropes from a glass ceiling 60 ft up, particularly as those present included Bassam Abu Sharif, one of Yasser Arafat's right-hand men. But it was all a stunt to launch *The Final Terror*, a novel by James Adams, defence correspondent of *The Sunday Times*. Adams was coy about whether they were real SAS men, but when pressed said: "They were not stunt men."

I sing what I say

COVENT GARDEN has been thrown into chaos by the unpredictable Luciano Pavarotti. The Italian tenor has pulled out of next April's *La Bohème*, which was billed as one of the highlights of the operatic year. Pavarotti has said that he wants instead to sing *Memorio* in *L'Elisir d'Amore*, a role he first sang at Covent Garden last year. Although the work was not even in this season's programme, Covent Garden has agreed in principle. "To be able to have Pavarotti at all is terrific for us," says a spokeswoman, apparently unconcerned at the spectacle of singers dictating to the management which works are performed.

No one at the Royal Opera is prepared to put a figure on it, but Pavarotti's withdrawal is bound to prove costly. In addition to attempting to revive *L'Elisir*, the House is committed to going ahead with its production of *La Bohème* without the Italian tenor. As for Pavarotti, all his agent would say yesterday was "Why did he switch? He just did."



Marshal the forces

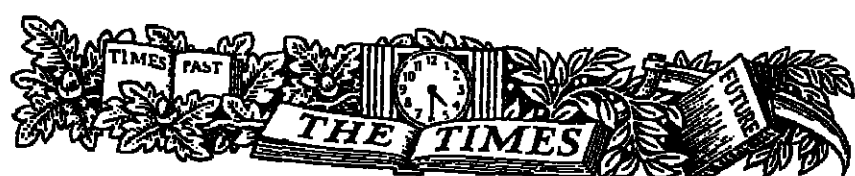
LAST WEEK, in his conference speech, Tom King rejected criticism of the cuts in army regiments, saying they had been "drawn up by the army board in an honest and fair way." But opponents are not impressed with the suggestion that the board is an independent arbiter. On radio yesterday, Labour MP John Home Robertson accused the secretary of state of attempting "to hide behind the army board as if it's purely army". He went on to disclose: "It consists of five Tory politicians, four army generals and a civil servant."

Even that is only half the story. For the five are not randomly selected from the ranks of Tory MPs, many of whom oppose the cuts. King himself chairs the com-

mittee and has a built-in government majority, thanks to the presence of four of his junior ministers: Archie Hamilton, Alan Clark, Lord Arran and Kenneth Carlisle. In addition to General Sir John Chapple, the chief of general staff whose leaked letter criticising the cuts has embarrassed the defence ministry, the military members are General Sir David Robertson, the adjutant general, Lieutenant-General Sir Edward Jones, the Quartermaster General, and General Sir John Stibbon, the Master General. No doubt the board never does anything so vulgar as vote with a show of hands, but with a permanent ministerial majority, presumably the need never arises.

Simul-cast

THE offices of the Independent Television Commission in London's Brompton Road currently look like a showroom for fax machines. About 30 of the latest models have been lined up ready for tomorrow, to inform bidders for the ITV franchises whether they have succeeded. A dozen machines were specially brought in, although the ITC still has too few to dedicate one to each bidder. So, the news will be issued to the participants in simultaneous batches, shortly before 10am, with all bidders for each franchise theoretically hearing at precisely the same instant. "There is an order in which we will transmit," says an ITC spokesman. "It's not alphabetical, but it's logical and I'm not going to say what it is." Each fax will be headed with a secret code, disclosed only to the bidder in advance. The precaution is necessary. Yesterday, hoax faxes purporting to come from the ITC and stamped "embargoed" had already begun arriving at the offices of various bidders and several newspapers.



MOTHER OF WORD-GAMES

Parliament reconvened yesterday after a summer in which its prerogatives have taken another bruising. The Channel tunnel route was announced to a party conference. The future of the health service was debated by competitive news releases. Resistance to army cuts took the form of leaks from service chiefs. The very duration of Parliament itself into next year was revealed in a selective press leak.

The rationale for the way political news is released in Britain is that ministers are answerable first to Parliament. Nothing should pre-empt it. Its adversarial format and institutionalised opposition ensure that the truth is squeezed from reluctant ministers and subjected to searing cross-examination. The executive is thus ruthlessly scrutinised.

There are many objections to this theory. The tide of government cannot await parliamentary sessions. At a press conference, cross-questioning is no less fierce than in Parliament, and is often less distorted by partisanship. In the case of the Channel tunnel there was no press conference, but this did not stop intensive Whitehall briefing and a good public debate. Ministers know that the critical point of any difficult announcement is the one-to-one radio interview, the specialist press conference, the television soundbite, the telephone briefing of lobbyists and editors. Even if Parliament is sitting, the 3.30 time for ministerial statements is too late for thorough media briefing and lobbying. So they bend the rules, and brief first.

The parliamentary cross-examination may be gruelling for the inexperienced. They are on parade not before the nation but before a running ministerial selection conference. But their rating will depend not on the soundness of their policy but on the smoothness of their presentation. This reflects the remorseless drift of the House of Commons from the efficient to the dignified end of the constitutional spectrum.

The modern House of Commons is fundamentally about party. Once it has performed

its task as ministerial "electoral college", its continuing vitality derives from its usefulness to political parties. Its textbook functions — legislative, deliberative, scrutinising — are nowadays performed more in the breach than the observance. Such publicised occasions as ministerial "question times" are stage-managed theatre, seldom revealing any inadequacy in public administration.

The complexity of administration has shifted the weight of influence away from the amateurism of the Commons towards professional interest groups, lobbyists, experts and the media. So much is a truism. What is remarkable is the extent to which Parliament has accepted this diminution in its role. MPs seek to rebut criticism of their inability to accept reform with excited references to select committees. These were introduced belatedly 12 years ago. They have yet to make much mark, since early on they submitted to interference from the whips and, as the health and defence committees have recently shown, remain blighted by party intrigue.

Certainly the committees are the nearest Parliament gets to a plausible role in modern British government, the nearest to independence of party, to competence in a subject and to scrutiny of legislation and decisions. If they had greater powers to summon ministers and officials speedily to account, to vet departmental spending bids and settlements, and if they made more use of the "lost resource" of heavyweight ex-ministers, they might yet restore parliamentary credibility.

Were the Commons ready to reform its hours, voting procedure and the relationship between an MP's work, perks and honours outside the context of the whips' patronage system, then change there might be. But as long as membership of Parliament is, for each new MP, essentially about securing ministerial office, this will not happen. In other words, as long as government has no interest in Parliament's effectiveness, that effectiveness will continue to diminish.

WOMAN AGAINST AN ARMY

The Nobel jury has found greatness in a little room on a quiet Rangoon street. By awarding its peace prize to Aung San Suu Kyi, held under house arrest for more than two years without charge and for no reason other than her extraordinary ability to inspire courage in the face of corrupt and illegal dictatorship, the committee has given hope to Burma.

The Nobel prize is both a personal tribute and a call to action by the international community. That was President Havel's purpose in nominating Daw Suu Kyi for the award. Burma was once a prosperous and relatively stable country whose ruin by dictatorship has ranked too low in the scale of international causes. Action should be the consequence of the Nobel award next month, when the illegal nature of its regime and its unspeakable human rights record come under scrutiny at the United Nations for which Daw Suu Kyi once worked.

At the grassroots, Daw Suu Kyi has transformed Burmese political life with a simple and, against every provocation, resolutely non-violent message: freedom from fear. A Burmese academic living in England, she was drawn into politics in 1988, while she was in Burma nursing her dying mother, by a popular uprising against dictatorship in which the army massacred some 3,000 unarmed protesters in Rangoon.

She enjoys authority as the daughter of the independence hero Aung San. She has added integrity, convinced that courage will surmount "the most crushing state machinery" in the end, because "fear is not the natural state of civilised man". She has championed the human rights not just of ethnic Burmese, but of non-Burmese groups. Their demands for more autonomy have kept Burma in a state of almost perpetual civil war.

Under Daw Suu Kyi's leadership, first on the streets and then from detention, Burma's people have done all they peacefully can to help themselves. They voted the dictators out of office in May 1990 with an 82 per cent majority for her National League of Democracy (NLD). The State Law and Order Restoration Council (SLORC), the military-

led junta which lives up to the Orwellian menace of its title, was so confident that it declared the elections free and fair and promised to hand over power. When the results came in, it proceeded to multiply specious and unconstitutional pretexts to cheat the voters of their choice. Martial law remains in force, meetings of more than five are banned, and talking to foreigners — on whom the country's deepening hardships are blamed — is a jailable offence.

At least 1,000 political prisoners are held under torture in Burma's jails. More than 80 of the elected NDL members of parliament are dead, in jail, in hiding, or have fled to join tens of thousands of refugees in the jungles along the Burma-Thai border. From Manerplaw, a border stronghold held by the Karens who have been fighting for autonomy from Rangoon for years, a group of these MPs declared the creation of a "parallel" government last December.

The SLORC maintains its domestic terror and finances the civil war thanks to Chinese arms, the lucrative despoliation of its tea forests through Thai intermediaries, heroin sales and trade and investment contracts from Western companies. Britain could press for a Western and Japanese ban on tea imports from Thailand (which has no tea of its own and whose military government is hand in glove with the SLORC). Douglas Hurd, who called last May for an arms embargo, should use Britain's membership of the UN Security Council to lead the campaign for a global arms boycott.

Burma's junta is not merely an ugly dictatorship: it has been unequivocally rejected at the ballot box. That makes it plainly illegal. A democratic NDL government under Daw Suu Kyi could be a government of national reconciliation. The British foreign office has already held talks with Sein Win, leader of the "parallel" government. It should do all within its power to encourage others to extend their contact with the opposition generally. For Daw Suu Kyi has been one woman against an army for too long.

ENOUGH SUPERLATIVES

Opinions may differ on the perfectibility of man, but none can doubt the improvement in his performance, as measured by *The Guinness Book of Records*, launched yesterday. Year by year human beings run faster, jump further, build higher, and dig deeper.

The contrast with the animal and vegetable worlds is striking. There is little convincing evidence that species improve their performance unaided in a timeframe shorter than millennia. With the assistance of humans they sometimes do better: of the 35 world records for fruit and vegetables, 30 have been set in the last decade. But others seem stuck at some genetically-determined peak. The record time for the Derby is still Mahmoud's, set in 1936. Man alone has the demon of self-improvement within him.

Most who read the Guinness book will enjoy its eclectic eccentricity, but the more suspicious might regard its findings as a subtle advertisement for the virtues of competition. Once, it was enough for a man to be the strongest in the village. To be strongest in the county was to be a legend. Today, achievement is instantly transmitted on a global scale: the Guinness book has been translated into 36 languages. The local champion yearns to go regional; the regional, national; the national champion international. The pool of would-be cham-

pions widens. The effort required to succeed grows greater as do the material rewards. Yet the Guinness volume also illustrates other less beneficial aspects of competition.

One is that it diverts effort into subsidiary channels. That a man can devote his whole being to become Olympic 100-metre champion is easily understandable. Less readily explicable is a commensurate effort devoted to trivial pursuits, to blowing bubble gum up to 22in, flipping 102 beer mats and balancing 213 cigar boxes on the chin. Niche marketing in records is a phenomenon rivaling niche marketing in the retail trades, harmless enough but scarcely central.

As a yardstick of human progress, *The Guinness Book of Records* measures only the measurable. Yet there are other human achievements at least as important as those it records: the most loving, the most devout, the most charitable and the most cheerful.

Perhaps somebody should start a complementary volume devoted to the unsung facets of human achievement, so dispelling any illusion that only those recorded in Guinness are really good for you. The nicest apple pie, the most devoted mother, the least competitive person on earth: the search for such record-breakers would be a challenge for a company that prides itself on its caring nature. What about it, Anita Roddick?

Penalties of army 'over-stretch'

From Brigadier Robin Rhoderick-Jones

Sir, Five years ago I was asked by the then commander-in-chief of the United Kingdom land forces to carry out a six-month study into overstretch within his command and to recommend how it could best be reduced if not eliminated.

Whilst I am still bound by the terms of my service not to make public my findings, it is no secret that even then servicemen and women (and especially the infantry) stationed in the UK-based army were subject to unacceptably high levels of turbulence simply because commitments substantially outweighed resources. Despite my report and its general acceptance by the military chain of command, nothing much has changed since to alleviate the situation.

It is therefore hardly surprising that the present chief of the general staff has to communicate to the secretary of state for defence (report, October 14) that he has been unable to convince the army, in the wake of Options for Change, that it will be barely able to manage, and then only with "greater overstretch or un-

TA in Ulster

From Colonel J. M. Steele and others

Sir, It is now an open secret that proposals have been formulated under Options for Change which will result in the Territorial Army in Northern Ireland being cut by more than 40 per cent (our own units are to lose more than two thirds of their present strength).

These cuts represent a reduction of more than double those planned for elsewhere in the United Kingdom and in our view cannot be justified on any objective comparison with the rest of the United Kingdom.

For the past 20 years TA units in Northern Ireland have not only survived despite the security problems but have recruited well, in sharp contrast to the position in Great Britain. The all-important retention rate has also been much better in the province. To the local population their local TA units provide a much-needed link with normality and offer cross-commu-

Technology priority

From Dr Jeremy Bray, MP for Motherwell South (Labour)

Sir, In his speech to the Conservative party conference (report, October 10) the Chancellor, Norman Lamont, included in his list of "quangos" which Labour would establish an office of technology assessment (OTA).

We do indeed intend to establish an OTA on lines similar to those in other European countries and the US where they do valuable work. However, we believe it should evolve out of the current Parliamentary Office of Science and Technology (POST) which has been privately funded with the support of the Parliamentary and Scientific Committee.

POST provides Parliament with information and advice about scientific matters that helps to fill a gap in public information and debate. It is supported by all parties and is now to be funded by the House of Commons. At present it is handled by the Services Committee.

We believe the appropriate channel for the OTA would be a new House of Commons select committee on science and technology, but that will be a matter for the House itself.

Yours sincerely,

JEREMY BRAY
(Opposition spokesman on science and technology).
House of Commons.
October 11.

Net book agreement

From Mr Alister Sutherland

Sir, Lord Goodman (October 14) repeats his view that the judgment of the Restrictive Practices Court in October 1962 "dealt faithfully and conclusively with every possible argument" against the net book agreement. However, if he will glance at the following pages of *Oxford Economic Papers* for November 1965 he will find the economic case I set out then for dissenting from his conclusion now.

In short, the surprising proposition that the total market for books would diminish and the average price would rise if full price competition were to return to publishing and bookselling were simply not consistent with the economic arguments as presented in 1962. Those unusual propositions are no more plausible now.

Yours faithfully,

ALISTER SUTHERLAND,
Trinity College,
Cambridge.
October 14.

Wasted treat

From Mrs Virginia Franklin

Sir, Auberon Waugh's father (Books, October 10) was probably quite right to enjoy his banana feast alone. I well remember my one-banana ration, mashed, being hurled to the floor by a baby who had never before seen such a thing.

Yours sincerely,
VIRGINIA K. FRANKLIN,
58 Bath Road, Chiswick, W4.

Letters to the editor should carry a daytime telephone number. They may be sent to a fax number — (071 782 5046).

LETTERS TO THE EDITOR

1 Pennington Street, London E1 9XN Telephone 071-782 5000

Targeting relations with other faiths

From the Reverend Canon Jim Richardson and Mr Michael Latham, MP for Rutland and Melton (Conservative)

Sir, As senior Anglican members of the Council of Christians and Jews we are deeply concerned about the Open Letter Group's appeal to the Church of England clergy (report, October 1) calling for the evangelism of other faiths to Christianity.

The letter has already caused harm to inter-faith relations in this country. It will continue to do so unless it is withdrawn, or at least clearly rejected by church leaders. It is incompatible with the public assurances, repeatedly given, that the Decade of Evangelism is not intended to target other faiths.

The open letter starts from the basic premise that salvation can come only through Christianity. Indeed, a covering letter to clergy describes Jesus as "the only way to God". It appears to ignore all that has been done and said officially by the churches, and most forcibly by the Roman Catholic Church, about God's continuing covenant with Israel, and the status of Jews as a people of God.

Surely, in the modern world, relations with other faiths should be based on dialogue. That involves openness and mutual acceptance. It recognises where differences lie, but benefits by shared glimpses of the divine mystery which comes from the special experience and insight of each faith.

Dialogue must never claim that one religion has a monopoly of truth. Such an assertion seeks to marginalise the other partner. It makes mutual respect and co-operation impossible. Nor must dialogue involve, openly or as a hidden agenda, a deliberate attempt to en-

Church investments

From Mr Desmond Hampton

Sir, The news of the Bishop of Oxford suing the Church Commissioners (reports, October 8, 9; Clifford Longley, October 12) is enough to drive members of the Church of England to despair.

The Church Commissioners are doing no more than their duty to manage their assets efficiently, primarily in order to provide for the stipends of the clergy. There is already a large shortfall made up by contributions from the laity.

The introduction of the bishop's moral dimension to investment decisions will inevitably reduce the income available for distribution of stipends. This will mean that stipends will be cut or that the laity will be required to contribute yet more

Parent's charter

From Mrs Helena Tucker

Sir, As chairman of governors of a maintained school I have received a copy of the glossy 20-page parent's charter and with it an invitation from Kenneth Clarke to help arrange for every parent in "any" school to receive a copy.

As I read it I wondered what the difference is between this document and an election manifesto. Then I realised — the production and distribution of the parent's charter is being paid for by the government, presumably out of an education budget, whereas a manifesto would have to be financed by party funds.

Yours faithfully,

HELENA TUCKER,
4 Masted Park,
Harrow on the Hill, Middlesex.

Charities reform

From Mr Hubert Picarda

Sir, In a statement to the House on January 21, 1988, the home secretary announced the government's acceptance of the admirable Woodfield report, *Efficiency Scrutiny of the Supervision of Charities*, which recommended extensive reform of the powers and duties of the Charity Commission. He expressed the hope that legislation to implement the report would be put forward in the lifetime of this Parliament, and a white paper, *Charities: a Framework for the Future*, was presented to Parliament in May 1989.

The passage of time since Woodfield has made the need for reform even plainer to those who advise charities on a daily basis. Many of whom earnestly hope that legislation will be introduced at the earliest opportunity in this Parliament, so as to be sure of entering the statute book before the general election.

I am, yours faithfully,
HUBERT PICARDA,
10 Old Square, Lincoln's Inn, WC2.

Shipping complaint

From the President of the Chamber of Shipping

Sir, Despite long-standing EC restrictions on shipbuilding subsidies it is disturbing to learn that member states are still evading clear rules prohibiting the dumping of cheap ships by the improper use of development aid funds.

It was announced yesterday that extremely soft credit terms are being made available through the German government to build three container ships for China in German shipyards, equivalent to a grant of at least 25 per cent.

Even though German shipbuilding prices are higher than in the Far East, this represents a massive investment subsidy to China for ships which will compete with British shipping. China already has an international trading fleet of over

70 ships — hardly a fledgling developing country.

This is not an isolated case. German shipyards have already built some 15 container ships for the Soviet Union, all with German government finance. We have protested before about similar excesses by successive British governments, including two more container ships for China in 1989 and the 22 heavily subsidised bulk carriers for Poland which directly pushed British shipowners out of profitable trades for over a decade.

Is it too much to hope that the EC commissioner for industry will feel able to intervene and end this practice?

Yours faithfully,
MICHAEL EVERARD,
President,
The Chamber of Shipping,
30-32 St Mary Axe, EC3,
October 10.

From the Reverend Andrew de Berry
Sir, An anticipated schism already threatens to divide Anglicans into two camps: the traditionalists and the liberals. The Open Letter Group's campaign seems anxious to accelerate that process, and I for one deplore it.

Although many Anglican clergy sense the dichotomy between being too traditionalist (e.g. opposing women's ordination), or too liberal (e.g. accommodating other religions at the expense of embracing Christ), the Open Letter Group's aims are disturbing.

To assume the high moral ground, as to where lie the perimeters of Christian orthodoxy, is to drive a wedge into a schism where, within the true spirit of Anglicanism, none even now ought to exist.

Yours etc,
ANDREW DE BERRY,
The Vicarage,
Blackwell, Derbyshire.

to maintain the already low level of stipends. The legal action itself will probably cost up to £250,000, which both the Commissioners and presumably the bishop can ill afford.

It ill becomes a bishop on a total remuneration package approaching £50,000 per annum to engage in an action which will inevitably cause resources to be diverted from the stipends of his clergy which currently average around £12,500 per annum.

If anyone should have taken this action, it should have been the laity, since they will have to foot the bill in the end.

Yours faithfully,
DESMOND HAMPTON,
20 Kensington Park Road,
Notting Hill Gate, W11,
October 12.

Facts of sudden death

From Mr Michael D. Oakley

Sir, Coroners, quite properly, are being asked to provide more and more statistics and facts surrounding sudden deaths in infancy, deaths from volatile substances, horse-riding accidents, deaths from drowning, etc. This adds to their increasing workload, especially for part-time coroners who make up the majority of the coroners of England and Wales.

Could not the Office of Population Censuses and Surveys, the agency to which this information is submitted, collaborate with all the interested outside agencies in devising a collective method for obtaining it? The certificate after inquest, the form of which I understand to be currently under review, might be adapted for this purpose.

Yours faithfully,
MICHAEL D. OAKLEY
(HM Coroner, Scarborough/Ryedale District),
4 Old Malton Gate,
Malton, North Yorkshire,
October 8.

Maastricht puzzle

From Mr Ken Daly

Sir, Dr Alan Sked's letter (October 12) poses some interesting possibilities. In a constituency where, for example, the Conservative, Labour and Liberal Democrat candidates were found guilty of the mortal sin of Maastrichtism, would we see a trio of Conservative, Labour and Liberal Democrat Skederalists opposing them?

Will there be room among the Skederalists for wideners or deepeners of petits Brugiots, or will any Skederalist deviationists be asked to skeddadle?

Yours faithfully,
KEN DALY,
The Old School House,
Aisholt, Spaxton,
Bridgewater, Somerset,
October 14.

Land of the living

From Mr John G. M. Stamp

Sir, Since I retired 19 years ago I have been receiving a small annuity, and I have just been sent by the Commercial Union, together with first class prepaid reply envelope, a letter enquiring whether I am still alive, and if so to sign a "Certificate of Existence" though curiously no witness is called for.

This somewhat bizarre request has me puzzled, for there are days when I feel more dead than alive particularly with all the political excitement going on.

What shall I tell them? Fear not. I am on my way?

Yours still obedient servant,
JOHN G. M. STAMP,
9 Manor Court, Grange Road,
Cambridge,
October 7.

Glimpse of society's underside

One Last White Horse Macheth Dublin Festival

AS THIS year's European City of Culture, Dublin has hardly hit the headlines, even some of the home produce is less in evidence than usual, with half the rooms in the National Gallery closed "due to shortage of staff". Following immediately on the heels of Glasgow, last year's choice, the enterprise smacks of impatient "me-too-ism".

Dublin's Theatre Festival, an annual event, is a different matter, packing into its two weeks the familiar welcome mix of foreign companies (from Britain, Germany, France, Japan) and Irish premieres. Dermot Bolger's *One Last White Horse*, at the Peacock, is his third festival play in three years, an intense and poetic "memory play" set inside a heroin addict's mind as he writes to his death on a Dublin refuse dump.

"There's not a laugh in it," one patron cautioned her companion as the audience took its seats either side of the traverse stage, and while the warning turns out to be unduly pessimistic, the disappointments that beset Eddie's short life afford a bleak view of society's underside. Honorably allowing himself to become a husband too young, Eddie slides through the cracks of the welfare system into destitution and grief.

Yet Bolger's achievement is to make this sorry tale theatrically gripping. The warping incidents of Eddie's childhood are linked together

with potent images and phrases to do with loss: a felt responsibility for the death of his mother; hands that lost touch first with her and later with brother, child and wife. Short scenes that step across time by way of gestures common to both are staged by David Byrne with a sureness that sweeps together ugliness, pathos and deceitful rapture. The excellent company is led by Owen Roe as Eddie and Barbara Brennan as the white-robed and motherly Horse, embodiment of the drug for whose treacherous company he yearns.

At the Tivoli Theatre the Schiller Theatre of Berlin stages *Macheth*, the astonishing directorial debut of Katharina Thalbach, who also plays Hecate and a witch-like Porter. Blood smears the limbs and faces of the actors as they strut or mince around a central dais that serves as battlefield, royal table and vast bed. Duncan is sullen and vicious, Malcolm an effeminate wastrel; Heinz Werner Kraackamp's Banquo is the solitary man of honour but the same actor plays a mocking and satirical Seyton. A flight of steps clanks noisily down from the black back wall for Maria Hartmann to descend like a grim Cinderella, and Markus Vollenkle's *Macheth* becomes a bloated, dropical horror for the play's murky climax. The sense of evil is never absent yet is shot through with creepily funny jokes. A giant spider's web bellies down above the stage wherein the witches lurk and leer or hang like ghastly bats. Bold, noisy and seething, Thalbach's production is like staring into a witch's cauldron as it reaches boiling point.

JEREMY KINGSTON



On death's door: Macdara O'Fatharta, top, and Owen Roe in *Horse*

Happy Families Tower, Canonbury

THIS is the comedy that 49 amateur companies up and down the country are all performing this week, inaugurating the BT Biennial for the Little Theatre Guild. John Godber is its author and the only request made to him was to provide more roles for women than for men. He obliges by giving John, his somewhat gormless hero, two male relatives (Joke-telling Dad, ex-curious Grandpa) and five female relatives as well as two nosy neighbours, also female.

Implicit in his brief was that the play should have wide and general appeal, and a family play obviously fits this requirement. John, apparently aged 35, remembers the lovable awfulness of life at home, starting with the day news came that he had failed his Eleven Plus, ending with the family triumphs of his graduation from college a dozen years later.

What nobody insisted upon — but how much better if somebody had — was that the play should avoid being cosy. "What I remember most," John tells us, "is that there was always love and laughter." It all depends, first of all, what you mean by love. Fussiness is there in plenty: Mum spends all day vacuuming, sweeping the drive and trying to make visitors accept what she persists in calling "Early Grey tea". Aunt Doris persists in cooking unrepeatable jam tarts; everyone incessantly bickers. Affection is not

noticeably in evidence. Laughter is present, though less so, within the family than John claims he recollects, and certainly less so in the audience than Godber can have expected. "I don't like upsetting things," John confesses when obliged to explain yet another failure to stand up to his family's antiquated moral strictures. John could be describing his author. In Britain Godber is the fourth most performed playwright, but Shakespeare, Arthur Miller and Ayckbourn, the men ahead of him, do not shrink from harshness. Godber avoids the uncomfortable; and since his play's loose, episodic structure just gives us one minor crisis after another, with no plot, no character development to engage us, we are left with a small-scale eccentricity by people proud of their tiny knowledge of life's variety.

The press were invited to see Harry Landis's production by the Tavistock Repertory Company (60 years old next year) at the Tower, Canonbury. It is a production as cosily gentle as the play, acceptably acted in the main by a cast who almost certainly would rise to the test of more complex characters. David Shannon's unfilial outburst to his Mum hints at what could be done but, typically, the anger turns out to be a daydream. The subtlest playing comes from Colette Dockery, whose reserve elevates posh Aunt Edna from stereotype to credible human being. Compared with the family Peter Nichols created in *Forgetting to Forget*, or Brian Friel in *Dancing at Lughnasa*, Godber's people are painted cardboard.

JEREMY KINGSTON

The Takemitsu Signature Barbican Hall

CURTAILED by one concert, and so by one of the new works due to be heard. "The Takemitsu Signature" still was clear, if partial. What this long weekend failed to recall was the more ascetic, distanced music Takemitsu was writing in his twenties and thirties, when his admiration for 20th century French music was fulfilling itself only sporadically; when, to use one of his own favourite metaphors, his garden was bare. Since the early 1970s he has been growing wilder, herbaric borders from Debussy and Messiaen, as if living his artistic life backwards, moving from purity into dependence. The signature has become so much lush and juicy.

Vers l'arc-en-ciel, Palma, a 1984 piece written for Birmingham, and *Quotation of Dream — Say sea, take me!*, which was given its first performance here, were both very much in the new manner, and both received rich, brilliant performances from the London Symphony Orchestra under Michael Tilson Thomas. The two pieces join the line of double concertos that goes back to the work that first brought Takemitsu to the world: national public, *November Steps* for biwa and shakuhachi (1967).

In the Majorcan rainbow piece the two solo instruments represent perhaps a mollified, European version of that Japanese duo: guitar and oboe

d'amore (here Julian Bream and Roy Carter), drifting on swaths of Messiaen-style harmony. In *Quotation of Dream* the central, or rather framing role is taken by a pair of pianos (Paul Crossley and Peter Serkin), whose appallant, resonant gestures seem to call up the images provided by the orchestra.

Many of those images come, directly or slightly subverted, from Debussy's *La Mer*. But as the subtle rather warm — in words from Emily Dickinson — the music's posture is passive, not to say supine. When the familiar Debussy strains are first heard they overwhelm what had gone before, and even that had sounded more like a sketch for Messiaen's *Turangalila* than the opening of something new. Thereafter the tensions involved in waiting for, and identifying the next borrowing swamp any subtler response.

After this, a full performance of *La Mer* was somewhat otiose, though the larger miscalculation in the programming was to precede Debussy's symphonic sketches by his *Jeu*, just about the only piece that could make *La Mer* sound lumpy. *Jeu*'s sounds different every time it is played, and this performance had much to offer in terms of superlative string playing and muted brass brushing something distant into the landscape. But *La Mer* was a deal too de luxe, and vulgar at the end. The Tilson Thomas exuberance, and the energy of his orchestra, were both better placed in Stravinsky's *Symphony in Three Movements* at the start of this concert.

PAUL GRIFFITHS

anxiously playing the salesman to a cynical audience. That even applied to the group of six Preludes by Rachmaninov, whether in the stormy rolling arpeggios of the B flat work, Op 23 No 2, or in the gentle flutterings of Op 32 No 5. Drama, song, aggression and poetic delicacy were all contained within his selection, and each emotion he responded efficiently and without a trace of self-importance, content to be the medium between composer and we fortunate listeners.

STEPHEN PETTIT

Arts features, page 17

NEW RELEASES

AUNT JULIA AND THE SCRIPTWITERS (12): Quiche kid (Gavin Rossdale) is for fairy aunt (Barbara Hershey), while a soap opera writer (Peter Falk) weaves magic spells. Zany comedy of a man who lives a multi-layered life. Director, Jim Armistead. (MCA Home Video) (0425 912523).

THE BIG BANG: Nineteen Americans — from a gangster and run to the producer of *Tomb Raider* — faces questions on sex, the cosmos, the after death. Fabulously amusing documentary from director James Toback. (National Film Theatre) (01-828 3232).

DRIP DEAD FISH (12): A child's invisible friend (Rita Mullen) returns in adulthood to help overcome problems. Jolly comedy which will captivate on its engaging premise. With Phoebe Cates. (MCA Home Video) (0425 912523).

HARLEY DAVIDSON AND THE MARLBORO MAN (12): Harley Davidson and Don Johnson narrate in a witty, witty tale of a biker's bumpy ride. (MCA Home Video) (0425 912523).

POISON (12): Todd Haynes' style-conscious study in social deviance, inspired by Jean Genet, unpleasant, unyielding. (Metro) (01-437 0757).

TOY SOLDIERS (12): Two young boys storm an elite school, but students use the old boys' club to outwit them. (MCA Home Video) (0425 912523).

LET HIM HAVE IT (12): An epic of a young couple's love and war. (MCA Home Video) (0425 912523).

BECKETT: Riveting performance from Denis Jacobi and Robert Lindsay in Beckett's play on the relationship between Henry II and the Archbishop. (Theatre Royal, Haymarket, SW1) (01-830 8800). Mon-Fri, 7.30pm, Sat, 8pm, Sun, 3pm, 10pm.

DANCING AT LUGHNASSA: New cast taken over in Brian Friel's Olivier Award-winning play set in 1920s Donegal. (Phoenix, Cross Road, WC2) (01-837 0440). Mon-Fri, 8pm, Sat, 8pm, Sun, 3pm, 10pm.

DON'T DRESS FOR DINNER: Simon Castil in a French boulevard farce. (Apollo, Shaftesbury Avenue, W1) (01-494 5070). Mon-Fri, 8pm, Sat, 8pm, Sun, 3pm, 10pm.

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KVETCH: Steven Berkoff's wit tips the East End Jewish psyche: wild but tender. (Coventry Arts Centre, Coventry, CV1) (01-253 0000). Mon-Fri, 8pm, Sat, 8pm, Sun, 3pm, 10pm.

THUNDERBIRDS F.A.B.: The NEXT GENERATION: The cult stage

RIOLETTTO: Maria Espartero's sassy performance of Verdi's opera in given a prize-winning review by the Royal Opera. A solid international cast (all three principal roles are sung by Italians) includes Piero Capovilla in the leading role, Rita Serrano as Elvira, and Franco Frazzetta as the Duke of Mantua. High quality conducting from rising young British conductor Sir John Neschke. (Royal Opera House, Covent Garden, London WC2) (01-494 1088/91/91). 7.30pm.

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CINEMA GUIDE

Geoff Brown's assessment of films in London and (where indicated with the symbol \otimes) on release across the country.

THE GREAT DIRECTOR (12): Claude Berlioz. (MCA Home Video) (0425 912523).

WHY HAS BOBBI DOLBY LEFT FOR THE EAST? (12): The life of a Zen Buddhist who lives high in the mountains, amidst the wind and water. (MCA Home Video) (0425 912523).

THE COMMITMENTS (12): A soul band. Fresh, funny, and buoyantly performed by a large amateur cast. (MCA Home Video) (0425 912523).

DEKALOG PARTS 3-4 (12): Krzysztof Kieslowski's masterpiece of modern morality tales. (MCA Home Video) (0425 912523).

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THEATRE GUIDE

Geoff Brown's assessment of current theatre in London

HOUSE FULL, RETURNS ONLY
Some seats available
Seats at all prices

MUCH ADD ABOUT NOTHING: Roger Allen and Susan Fleetwood spar in Alexander's elegant production. (Barbican, Silk Street, EC2) (01-492 8800). Mon-Fri, 7.30pm, Sat, 8pm, Sun, 3pm, 10pm.

MURMURING JUDGES: David Hare tackles our ruling legal system: good in the concept but not a novel twist. (National, Lyttelton, South Bank, SE1) (01-492 2222). Mon-Fri, 7.30pm, Sat, 8pm, Sun, 3pm, 10pm.

OUR TOWN: Under-powered production of Thornton Wilder's play on small town life. (Shaftesbury, Shaftesbury Avenue, WC2) (01-494 5070). Mon-Fri, 8pm, Sat, 8pm, Sun, 3pm, 10pm.

PEACOCK: Thrilling version of Medea set in a Caribbean town. (St Martin's Lane, WC2) (01-835 2132). Mon-Fri, 8pm, Sat, 8pm, Sun, 3pm, 10pm.

PLAYING SINATRA: Ian Gailard, Susan Brown in powerful Ben Jonson drama of song, love and related. (Worshipers, Dringwell Road, Croydon, Surrey, CR9) (01-885 7815). Mon-Fri, 8pm, Sat, 8pm, Sun, 3pm, 10pm.

A SWELL PARTY: Four singers, two pianists in a tribute to Cole Porter's classic wit and wit. (Palladium, Argyll Street, W1) (01-494 2007). Mon-Fri, 7.30pm, Sat, 8pm, Sun, 3pm, 10pm.

THREE BIRDS ALIGHTING ON A FINE: Excellent production of the play on the good in life and art. (Hertford House, Hertford, Herts) (01-835 2132). Mon-Fri, 8pm, Sat, 8pm, Sun, 3pm, 10pm.

KVETCH: Steven Berkoff's wit tips the East End Jewish psyche: wild but tender. (Coventry Arts Centre, Coventry, CV1) (01-253 0000). Mon-Fri, 8pm, Sat, 8pm, Sun, 3pm, 10pm.

THUNDERBIRDS F.A.B.: The NEXT GENERATION: The cult stage

RIOLETTTO: Maria Espartero's sassy performance of Verdi's opera in given a prize-winning review by the Royal Opera. A solid international cast (all three principal roles are sung by Italians) includes Piero Capovilla in the leading role, Rita Serrano as Elvira, and Franco Frazzetta as the Duke of Mantua. High quality conducting from rising young British conductor Sir John Neschke. (Royal Opera House, Covent Garden, London WC2) (01-494 1088/91/91). 7.30pm.

DANCE UMBRELLA: Dancer-choreographer Butterfield spins tales of confusing the critics with her latest work, *Of Shadows and Walls*. It claims to bring together a number of concepts: theatre, including political relevance, dry stone walling, modern armies, map-making, modern architecture and Russian Constructivism. Part of the year's Dance Umbrella festival, the piece is a collaboration between Butterfield, minimalist composer Jim Furlong and film-maker Nicola Bignardi. (Riverside Studios, Clap Road, London W5) (01-746 3354). 7.30pm.

IDONTECH: Welsh National Opera's triumphant contribution to the Mozart bicentenary is a powerful way of celebrating the composer's genius, staged by Howard Davies. A remarkable alignment of talent brings together conductor Sir Charles Mackerras, Denise O'Neill in the leading role, and supporting cast John Mark Ainsley, Rebecca Evans and Suzanne Murphy. The production will play in repertoire

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6.00 Ceefax
6.30 Breakfast News begins with *Business Breakfast* until 6.55 when Nicholas Witchell and Jill Dando present news and topical reports with regular business, sport, weather, regional news and travel bulletins.
9.05 Kilroy, Robert Kilroy-Glik chairs a studio discussion on sexual harassment. 9.50 *Hot Chicks*. Gary Rhodes cooks up the best of British food. Today — faggots.
10.00 News, regional news and weather. 10.05 *Playdays*. For the very young (10.35) *The Family News*. Cartoon series about a family of aquatic monsters living in a Scottish loch (11.35) *The Clothes Show*. Jeff Banks and Carolyn Franklin report from London and Milan fashion shows on next spring and summer designs (11.35) *News*, regional news and weather. 11.05 *No Kidding*. Mike Smith and Kate Copstick present the family quiz in which general knowledge questions are mixed with questions about each other (11.30) *People Today*. With Miriam Stoppard and Adrian Mills. Includes an interview with a woman in the news and Debi Jones and Russell Grant. 12.00, 12.30 *Peetle Mill*. Today's guests include actress Glenn Close, with music from Paul Young. 12.55 *Regional news and weather*.
1.00 One O'Clock News and weather.
1.30 Neighbours. (Ceefax) (s) 1.50 *Four Square*. General knowledge knockout quiz hosted by John Sachs (s).
2.15 The High Chaparral. Vintage western series set in 1970s Arizona. Following the fortunes of a ranching family. 3.00 *Pot Black*. Eamon Holmes presents the second semi-final of the one-frame tournament, between Doug Mountjoy meets Stephen Hendry. The commentators are Ted Lowes and John Spencer.
3.40 Cartoon. *David the Gnome*. 3.50 *Pocketing Peas*. Animated adventures (1) 3.55 *Badger and Badger*. Episodes three of the 12-part children's comedy drama. 4.15 *Heddliff with Cats and Co.* Cartoon adventures of an alley cat (1) 4.35 *What's That Noise?* presented by Tony Gregory. This last in the series features music from Jesus Jones, Candyland and Felson (s).
5.00 News. 5.10 *Orange Hill*. Episode 11 of the 20-part school drama series. (Ceefax) (s).
5.35 Neighbours. (s). (Ceefax) (s). Northern Ireland: Inside Ulster. 6.00 *Six O'Clock News* with Peter Sissons and Moira Stuart. Weather. 6.30 *Regional News* magazines. Northern Ireland: Neighbours. 7.00 *Every Second Counts*. Against-the-clock quiz game for couples. The questionmaster is Paul Daniels (s).
7.30 EastEnders. (Ceefax) (s).
8.00 British Fashion Awards, introduced by Jeff Banks, Selma Scott and Carolyn Franklin. The top award is for the Designer of the Year, won last year by Vivienne Westwood.



New series: Ian Botham, David Coleman, Bill Beaumont (8.30pm)

8.30 A Question of Sport. The start of the 21st series of the popular sporting quiz, presented by David Coleman. This week the regular team captains — Bill Beaumont and Ian Botham — are joined by Sally Gunnell, Robin Smith, Dean Saunders and Duke McKenzie (s).
9.00 Nine O'Clock News with Martin Lewis. (Ceefax) Regional news and weather.
9.30 Making Out. Episode four of Debbie Horsfield's eight-part comedy drama about the lives and loves of women working in an electronics factory in the north of England. Starring Margi Clarke, Shirley Stelfox and Rachel Davies. (Ceefax) (s). Northern Ireland: *Week in Week Out* 10.00-10.50 *Making Out*.
10.20 Film 91 with Barry Norman. Among this week's reviews are those for *City Slickers* and *Doc Hollywood*. There is also a special report on BBC TV dramas that make it to the big screen. Among those taking part are Mark Shivers, film director John Schlesinger and Channel 4 commissioning editor David Aukin (s).
10.50 Film: A Breed Apart (1984) starring Rutger Hauer, Powers Boothe and Kathleen Turner. Thriller about a celebrated mountain climber who is hired by a ruthless collector to steal the eggs of a rare bald eagle that is nesting on a private island protected by a fanatical conservationist. Directed by Philippe Mora.
12.20am Weather. Northern Ireland Film 91 with Barry Norman.

TV VARIATIONS

ANGLIA

As London except: 6.25pm-7.00 *Anglia News* 7.30-8.00 *Weekend*.

BORDER

As London except: 6.25pm-7.00 *Border News* and *Children's* 7.10-7.40 *Home and Away* 7.40-8.00 *Border News* 8.10-8.30 *Border News* 8.30-9.00 *Border News* 9.00-9.30 *Border News* 9.30-10.00 *Border News* 10.00-10.30 *Border News* 10.30-11.00 *Border News* 11.00-11.30 *Border News* 11.30-12.00 *Border News* 12.00-12.30 *Border News* 12.30-1.00 *Border News* 1.00-1.30 *Border News* 1.30-2.00 *Border News* 2.00-2.30 *Border News* 2.30-3.00 *Border News* 3.00-3.30 *Border News* 3.30-4.00 *Border News* 4.00-4.30 *Border News* 4.30-5.00 *Border News* 5.00-5.30 *Border News* 5.30-6.00 *Border News* 6.00-6.30 *Border News* 6.30-7.00 *Border News* 7.00-7.30 *Border News* 7.30-8.00 *Border News* 8.00-8.30 *Border News* 8.30-9.00 *Border News* 9.00-9.30 *Border News* 9.30-10.00 *Border News* 10.00-10.30 *Border News* 10.30-11.00 *Border News* 11.00-11.30 *Border News* 11.30-12.00 *Border News* 12.00-12.30 *Border News* 12.30-1.00 *Border News* 1.00-1.30 *Border News* 1.30-2.00 *Border News* 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● LAW REPORT 41
● SPORT 44-48

BT sale strategy will save £40m

THE government is expected to save £40 million in costs on its sale of BT shares by not having the issue underwritten. If there is insufficient demand, some of the likely £5 billion of stock offered would simply be left in government hands.

Underwriting was thought to be incompatible with the method chosen for disposal of shares to City institutions — the managed international tender. Under this bidding system S G Warburg and its co-managers will try to ensure there is enough demand to take up the maximum 50 per cent allocated to institutions at an acceptable price for the government, without fixing a price in advance. There is, therefore, little danger of this stock being unsold in normal market conditions.

Comment, page 27

Lucas warns of more job losses

Lucas Industries, the automotive components and aerospace group, has yet to see an upturn in any of the areas in which it operates, Sir Anthony Gill, the chairman, said, reporting full-year profits to end-July down from £191.2 million to £83.6 million.

But the group is holding its dividend, a final payment of 4.9p making a total of 7p for the year, and there is again a scrip alternative.

Lucas shed 4,500 jobs last year and another 800 have gone since the financial year end. Worst hit was the British automotive businesses. Sir Anthony said job losses would continue until the company's main markets showed an upturn.

Total cash outflow was £151 million and a further outflow could be expected in the current year although not on the same scale as last year, David Hankinson, the finance director, said. *Tempus, page 29*

THE POUND

US dollar 1.7185 (-0.0012)
German mark 2.9120 (+0.0023)
Exchange index 90.4 (same)
Bank of England official close (4pm)

STOCK MARKET

FT 30 share 1973.6 (+19.7)
FT-SE 100 2574.5 (+19.5)
New York Dow Jones 2992.62 (+8.94)
Tokyo Nikkei Ave 23860.67 (-297.05)

MAJOR CHANGES

RISERS:
Standard Chartered 387½p (+17p)
Lloyds 512½p (+10p)
Harriman A 512½p (+10p)
Land Securities 478½p (+14p)
Anglo TV A 277½p (+13p)
Scott TV 605p (+31p)
Uster TV 134½p (+11p)
Legal & General 382½p (+11p)
Lloyds Abbey 411½p (+13p)
Smith & Beech 747p (+9p)
Granada 175p (+10p)
Kalamazoo 47½p (+10p)
Traveler House A 277½p (+13p)
News Corp 507p (+12p)
Lorha 243p (+9p)
FALLS:
Thames TV 182½p (-11p)
SG Warburg 521½p (-11p)
Solihby 587½p (-25p)
Geest 340½p (-8p)

INTEREST RATES

London: Bank Base 10½%
3-month interbank 10½-10¾%
3-month eligible bills 10½-10¾%
US: Prime Rate 6½%
Federal Funds 5½%
3-month Treasury Bills 5.11-5.09%
30-year bonds n/a

CURRENCIES

London: New York
£ \$1.7185
£ DM1.9338
£ Sfr12.5516
£ FF9.3657
£ Yen222.03
£ Index 90.4
ECU £0.703411
ECU £1.421643
London foreign market close

GOLD

London Fixing:
AM \$350.30
close \$358.50
208.20
New York:
Comex \$350.85-361.35

NORTH SEA OIL

Brent (Nov) 622.35 bbl (\$22.30)

RETAIL PRICES

RPI: 134.6 September (1987=100)
* Denotes midday trading price

Ofgas wants agreement honoured

British Gas faces MMC probe threat

By ROSS TIEMAN, INDUSTRIAL CORRESPONDENT

JAMES McKinnon, the head of Ofgas, the gas regulator, last night threatened to trigger a monopolies commission enquiry into British Gas if it does not abide by its agreement to introduce new tariffs and better service standards for 17 million households next April.

Mr McKinnon gave warning that savings on gas bills worth £225 to the average home over the next five years were at risk.

British Gas said it had decided to "review its position" in the wake of recommendations from the Office of Fair Trading last week that British Gas be stripped of its domestic monopoly and forced to separate its pipeline business.

The company's board, under Robert Evans, the chairman, meets on Thursday to discuss the tariff agreement



McKinnon demands

and the implications of the OFT report.

Mr McKinnon said he gave the company renewed assurances on Friday that he would ensure they made adequate returns, whatever the impact of the OFT proposals. "That is part of my duty under the Gas Act," he said. "Despite the assurances, British Gas has indicated that it might renege on the agreement."

Mr McKinnon was speaking after publishing details yesterday of price changes agreed with British Gas since April. "If British Gas is not prepared to honour the agreement, my only option is to put the matter in the hands of the Monopolies and Mergers Commission," he said.

The dispute is the latest in an almost incessant series of confrontations between British Gas and its regulatory body since the company was privatised as a monopoly in 1986.

Mr McKinnon has met fierce resistance from the company as he has tried to bring about a gradual loosening of its monopoly over the gas market.

Proposals in the OFT report are clearly intended to break the company's stranglehold and allow competition to develop at all levels, even though British Gas would retain ownership of the pipeline system. The OFT proposals would also give Mr McKinnon increased powers over British Gas.

Mr McKinnon said last night that because competition would take time to

develop, it would be several years before the OFT proposals had any impact on British Gas earnings.

"If the monopoly was removed tomorrow, there is practically no gas available with which anyone else could take up the slack," Mr McKinnon said. "If British Gas agrees to the OFT's request for the release of gas, it would still take two or three years before electricity companies could begin to compete with British Gas."

He was concerned that a reference to the monopolies commission would delay the introduction of the tougher price formula agreed earlier this year. Under that deal, annual increases in the non-gas element of British Gas domestic tariffs will be restricted to the level of changes in the retail price index, minus 5 per cent. At present, they are restricted to RPI minus 2 per cent.

The new formula also provides for the creation of a fund to promote energy efficiency in homes. That is accompanied by an undertaking from British Gas to provide a better service to households, covering bills, customer appointments and complaints.

Mr McKinnon said British Gas had a great deal of work to do to prepare for the introduction of the new standards and tariff on April 1 next year. Any interruption to the programme while British Gas reviewed its position could lead to delays, he said.

Comment, page 27

Dunkel says way is clear to Gatt talks agreement

From ANATOLE KALETSKY IN BANGKOK

ALL technical obstacles blocking a deal in the Uruguay Round trade talks have been resolved and a successful conclusion is purely a matter of political will, according to Arthur Dunkel, secretary general of the General Agreement on Tariffs and Trade.

The day after an apparent breakthrough in Germany's resistance to cutting agricultural subsidies, Mr Dunkel appeared more optimistic about the prospects for the new trade round than he had been last Friday, when he gave warning that Gatt negotiations faced a "final collapse".

"We have now reached the point where no technicalities can stand in the way of a successful conclusion," Mr Dunkel told a press conference at the International Monetary Fund meeting in Bangkok. "We have reached the political phase of the negotiations. If the necessary decisions were taken, we should be in a position to see the results of the Uruguay Round implemented by January 1993."

Mr Dunkel said the cabinet meeting in Bonn last week had led to the meeting of European Community trade ministers at

the weekend in Brussels. Although this gathering had been informal, it seemed to have reached some critical conclusions and indicated that "the community is prepared to move into the phase of political breakthrough", Mr Dunkel said.

The essence of the Brussels agreement, according to officials in Bangkok, was a decision to give European trade negotiators far greater flexibility on the crucial issue of agricultural export subsidies. This shift of position followed a decision by Helmut Kohl, the German chancellor,



Dunkel: more optimistic

that the Uruguay Gatt talks had to be resumed, regardless of the domestic political costs. Germany's shift has left France exposed as the only major opponent of radical liberalisation in world agricultural trade.

Mr Dunkel commended John Major's announcement in July that he would be prepared to summon a special G7 meeting in the event that trade negotiations failed to make progress. Britain yesterday welcomed as a "constructive signal" the German cabinet's support for a successful outcome of the Gatt talks and the strong hint that Germany was ready to make concessions on agricultural prices.

German farm earnings are likely to drop 20 per cent this year, and average incomes are now about 8 per cent below the national average for an industrial worker. This has forced about 20 per cent of farmers off the land in the past year, with the total falling in 20 years from more than 1 million to 630,000, not including farms in the former east Germany.

Third World grants, page 26
Mouse roars, page 27

The Blue Arrow trial

Advisers 'entitled to buy into issue'

CITY advisers to Blue Arrow were "perfectly entitled" to buy secretly into the employment agency's record £837 million rights issue to ensure an orderly market in the stock, it was claimed yesterday. The arrangements were not part of a criminal conspiracy but "an honest scheme" to complete the largest ever issue and to help protect the market. An Old Bailey jury heard that the advisers' aim was perfectly proper and accepted City practice to aid Blue Arrow and its shareholders.

Jeremy Roberts, QC, defending Jonathan Cohen, former chief executive of County NatWest, the merchant bank, said the five individuals on trial were anxious to remain within the law.

It is alleged City advisers rigged the market by boosting the published take-up level of the 1987 issue from 38 to 49 per cent, and also bought into the

subsequent placing of remaining shares in order to herald the deal as a triumph. Mr Roberts, opening the defence case on day 129 of the fraud trial, said the jury must concern itself with the few hours after the close of the issue when, it is said, the arrangements were made.

He said the Crown alleged the arrangements represented a criminal conspiracy to defraud investors and the stock market by "deliberately and dishonestly misleading the market on the result of the issue and so creating a false market in Blue Arrow shares".

Mr Roberts said: "We say the prosecution are quite wrong about that, that these arrangements were not a dishonest criminal conspiracy but an honest scheme to allow the issue to be completed and to maintain an orderly market in Blue Arrow shares." Mr Roberts added: "We say that was

something the advisers were perfectly entitled to do."

He said the defendants had been "extremely anxious to ensure they remained within the law and only do what the law allowed them to do. We say they were right in believing they were within the law and right to do what they did."

Earlier, Mr Roberts told the jury they were judging what could be a record-breaking criminal trial. He said he was sure that a 77-day break since the close of the Crown's case and the beginning of the defence deserved a place in history. Mr Roberts underlined that the delay had been unavoidable.

County, its parent NatWest Investment Bank, stockbroker UBS Phillips & Drew, and five individuals deny conspiracy to defraud after allegedly misleading the market over the outcome of the issue. The trial continues today.



Reviewing the company's position: Robert Evans, chairman of British Gas

Stanhope plunges to £77m loss

By GRAHAM SEARJEANT

STANHOPE Properties, the troubled group involved in the City's vast Broadgate and Ludgate developments, has recorded a pre-tax loss of £77.4 million for the year to end-June, against a £15 million profit last time.

Shareholders' funds have shrunk by £139 million to £319 million after a downward revaluation of completed properties averaging 8 per cent, cutting net asset value from £2.76 to £1.92 per share. The group has been holding merger negotiations with Rosehaugh, its main joint venture partner, since mid-summer but is still having problems arranging a structure and relative valuation that will satisfy banks and both partners.

Trading losses of £34 million, after interest charges of £20 million (£1 million), were swelled by £43 million write-downs of development properties. The write-downs allow for the sale of phase 7 of Broadgate in August for £180 million.

Allowing for that, the group, including the joint ventures, still has cash and undrawn borrowing facilities of £300 million, enough to complete current developments. In addition, a commercial paper programme is near to completion in America.

Stanhope shares, two thirds of which are controlled by Olympia & York and by directors, fell 3p to 47p. There is no dividend.

BA courts Northwest

From PHILIP ROBINSON IN NEW YORK

BRITISH Airways is thought to be in talks that could lead to a link with Northwest Airlines, America's fourth largest carrier, which is short of cash but ambitious to expand.

The deal would give BA access to Northwest's 11.6 per cent share of America's domestic route system, a market BA has been trying to get into for a number of years.

Under one proposal, Northwest would wipe its own name off the fuselage of its 320

planes and replace it with some form of the BA name. The two are also understood to be talking about linking their frequent flyer programmes and co-ordinating employee training.

At this stage, it is unclear whether BA would invest cash in Northwest. Under American rules, it could own up to 49 per cent of the carrier.

A spokesman from Northwest said: "We never comment on speculation."

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Aid to East Europe 'will not affect Third World grants'

From ANATOLE KALETSKY IN BANGKOK

GROWING financial demands from Eastern Europe and ultimately the Soviet Union will have no effect on the World Bank's ability to lend money to developing countries, senior officials said at the bank's annual meeting in Bangkok.

The bank has the capacity for sustained lending of \$25 billion annually, according to Wilfried Thalwitz, the bank's vice-president for policy and research. This means there is plenty of room to raise lending to Eastern Europe and eventually the Soviet Union, he added.

The bank has been having difficulty committing all the funds already earmarked for lending programmes, officials

conceded. This shortfall in lending has been due in part to political and economic instability in some of the bank's biggest borrowing countries, including Brazil, China and India. As a result, the bank only committed \$16.4 billion in its latest financial year, almost unchanged on three years earlier, even after an increase of \$3 billion in lending to Eastern Europe.

One former bank official in the Thai capital estimated that the bank's current capital would allow it to lend a further \$5 billion annually to the Soviet Union without reducing the availability of resources to the rest of the developing world.

Mr Thalwitz also assured

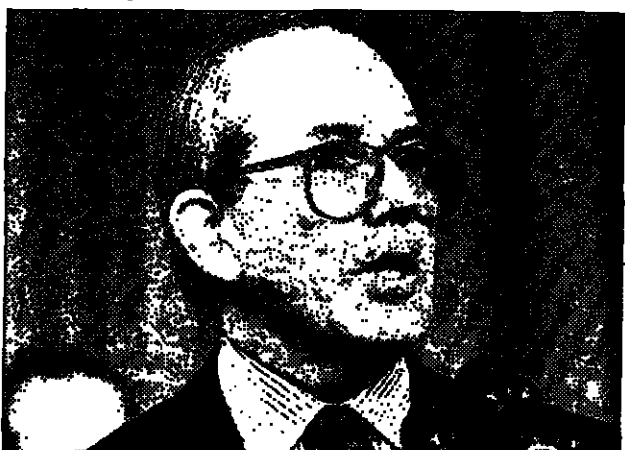
the poorest developing countries that they would face no competition for outright grants and concessional lending as a result of the world's preoccupation with Eastern Europe.

The funding of the International Development Association, the World Bank's concessional lending arm, would be maintained in real terms, he said.

Some lobbyists for the Third World in Bangkok expressed concern, however, about the weak language on concessional lending in the official communiqué issued by finance ministers who met yesterday in the World Bank's development committee.

The committee "hoped" that industrial countries "could provide adequate support" for Eastern Europe without diverting resources from traditional aid recipients, the communiqué said.

Another communiqué, issued yesterday by the International Monetary Fund's interim committee, was presented by Michel Camdessus, the IMF managing director, mainly repeated statements about the world economy and aid to the Soviet Union made over the weekend by finance ministers from the Group of Seven leading industrial countries.



Backing G7 views: Michel Camdessus, of the IMF



Celebrating with the famous dram: John Goodwin, Highland Distilleries' chairman

Highland tots up 14%

HIGHLAND Distilleries, The Famous Grouse whisky company chaired by John Goodwin, reported profits up 14 per cent to £28.2 million before tax for the year to the end of

August. Earnings also rose 14 per cent to 15.1p a share. A final dividend of 4.14p a share (3.6p) makes 5.52p (4.8p).

Obstacle removed, page 25
IMF sideshow, page 27

Tempus, page 27

US group invests in Wales

DOW Corning, the American chemical group, is to invest £150 million in doubling its manufacture of silicone products at its South Wales plant.

The company also plans to regenerate derelict dockland in Barry, South Glamorgan, for new industry with a potential of 2,000 new jobs. Dow Corning's decision will make Barry the world's second largest producer of silicones.

The expansion will start immediately, creating 500 construction jobs and about 100 full-time jobs when the plant begins output in 1995.

The move follows an investment mission to America by David Hunt, the Welsh secretary, and Dr Gwyn Jones, chairman of the Welsh Development Agency.

BUSINESS ROUNDUP

Granada sells business in Canada for £38m

GRANADA Group, which on Wednesday will discover whether it is to retain its TV franchise, has sold its Canadian business to its management for Can\$75 million (£38 million). The group announced its intention to dispose of the business at the time of the Granada rights issue in May.

The sale will give rise to an extraordinary charge of £35 million in Granada's accounts for the current year. The Canadian business before interest charges lost £8 million in 1989-90 and £7 million in the first half of 1990-1. The estimated book value of the assets being sold is £64 million, leading to a write-off of £26 million, and restructuring costs associated with the sale are £9 million, hence the extraordinary charge. Granada will receive £23 million in cash on completion of the sale. The business is being sold debt free. Granada shares rose 1p to 176p.

Profits slip at Doeflex

DOEFLEX, the maker of plastic materials, suffered a fall in pre-tax profits to £580,000 (£717,000) in the half year to end-June, as turnover declined to £9.23 million (£9.62 million). Interest costs were up to £271,000 (£189,000) while earnings per share slipped to 4.57p (5.57p). The interim dividend is held at 1.32p. The shares eased 1p to 76p.

Prestwick tumbles

DESPITE a second half recovery, Prestwick Holdings, the Ayr printed circuit manufacturer, suffered a slump in taxable profits to £109,000 (£1.2 million) in the year to end-July. Turnover slipped to £25.3 million (£28.8 million). Fully diluted earnings plunged to 0.4p (3.1p) but the final dividend is pegged at 1p making an unchanged total of 1.5p.

Tay raises payout

TAY Homes, the Leeds housebuilder, reports a net asset value of 127.9p (110.9p) a share at June 30, and a pre-tax profit of £8.26 million (£8.51 million) for the year to end-June, against the background of the worst recession in housebuilding in decades.

Tay sold 849 (943) units at an average price of £74,300 (£71,500). Turnover was £70.6 million (£67.4 million). The dividend rises from 3.6p to 4.1p, making 5.3p (4.8p) a share.

Helene falls to £439,000

HELENE, the fashion group, saw pre-tax profits fall from £1.18 million to £439,000 in the six months to end-June as margins were squeezed in an attempt to maintain sales. Turnover rose from £32.6 million to £33.2 million and earnings per share fell from 1.96p to 0.56p. The interim dividend has been held at 0.65p. The shares rose 1p to 22½p.

Roskel pegs dividend

ROSKEL, the ceilings and partition walls group, saw pre-tax profits fall from £1.37 million to £548,000 in the six months to end-June as the recession took its toll. Turnover held up at just over £20 million but margins fell and operating profit almost halved to £878,000. Earnings per share fell from 6.01p to 2.37p. The interim dividend is held at 1.3p.

Britannia reports loss

BRITANNIA Group, the property developer and builder, is cutting the interim dividend from 1.9p a share to 1p. In the six months to end-June the group incurred a pre-tax loss of £3,000, compared with profits of £1.13 million in the first half of last year. Earnings per share fell from 6.3p to nil. Turnover fell from £18.4 million to £9.17 million because of a decline in construction activity, reducing trading profits from £1.39 million to £376,000.

Names unclear on non-marine cover

By JONATHAN PRYNN

THE Lloyd's marine syndicate 316/661, which is managed by the Outhwaite underwriting agency, was believed to be insuring "dockside cranes" rather than the asbestos related run-off policies that led to losses of £240 million, the High Court heard yesterday.

The run-off contracts were written as part of the syndicate's "incidental non-marine" underwriting book which, at the time, could account for up to 20 per cent of a marine syndicate's premium income. The contracts reinsured other syndicates against American casualty risks, exposing 316/661 to massive asbestos compensation claims dating back to the Forties.

A group of 987 names, who were in the syndicate in 1982, have alleged that Richard Outhwaite, the lead underwriter, was negligent in underwriting the 31 policies. They are also suing the 81 members' agents that placed them in the syndicate.

Peter Nutting, the chairman of the Outhwaite 1982 Names Association, told Mr Justice Saville that "like most people I believed incidental non-marine meant exactly what it says it is". This could mean, for example, insuring "cranes on dockside".

He did not give Mr Outhwaite "unfettered consent" to write motor, non-marine or life business, he said.

Mr Nutting, who is a businessman and has been a name since 1972, has lost at least £150,000 through his membership of the syndicate. He told the court that he would "not disagree" with the estimate of £350,000 to £400,000 for his total profits during the period of his Lloyd's membership.

Mr Nutting was giving evidence on the sixth day of the trial, which is expected to continue until the New Year.

BP sells rest of Tex/Con

BP HAS agreed to sell the exploration and production interests of Tex/Con Oil & Gas to PG & E Resources, a subsidiary of Pacific Gas & Electric Co, for \$400 million. The sale completes the disposal of Tex/Con, the unit responsible for BP's onshore oil and gas activities in America. Last month, BP sold Tex/Con's gas transmission and marketing business to Transok Inc for \$250 million. PG & E, in Dallas, Texas, said it expects Tex/Con to add proven and probable reserves of about 30.4 million barrels of oil and 317.9 billion cubic feet of gas to its energy portfolio.

Asda completes loans deal

Asda has successfully completed negotiations with its bankers to amend crucial covenants on its loans which the supermarket group had been in danger of breaking. The news of the successful deal comes before today's extraordinary general meeting to approve Asda's £357 million rights issue.

The negotiations with the banks and the rights issue are dependent on each other. The rights issue, which closes on November 8, is expected to be approved today. Asda's shares rose 4p to 44p.

Dowding bid

Dowding & Mills, the electrical and mechanical repair group, has received acceptances for 0.04 per cent of the shares in Torday & Carlisle, the engineering and signs group for which it has made a hostile all-share takeover bid. Dowding & Mills had already acquired 5.9 per cent of Torday & Carlisle through market purchases. The offer has been extended until November 4.

W&M stake up

Whyte & Mackay has lifted its shareholding in Invergordon Distillers, the Scotch whisky group, from 12.1 per cent to 18.7 per cent after acquiring a further 8.39 million shares at 275p each. Sellers were said to include several institutions and at least one arbitrageur. Invergordon has rejected an increased cash offer worth £350 million from W & M.

Renewal of £3.1bn Hanson loan 'close'

By COLIN CAMPBELL

HANSON is close to refinancing a £3.1 billion facility assembled in 1989 to fund its purchase of Consolidated Gold Fields, bankers said. The company hopes to extend the term of the facility for a further three years. The co-ordinating banks are Barclays Syndications, Credit Suisse First Boston and NatWest.

NM Rothschild and Sons expects details of Hanson's offer for Beazer, and papers relating to Beazer's convertible unsecured loan stock, to be filed no later than the coming Friday. Rothschild said the takeover panel and Beazer's financial advisers had consented to an extension of the period allowed for posting of offer documents.

Newmont Mining Corporation, the American group in which Sir James Goldsmith and Rothschild interests hold a 49 per cent stake acquired from Hanson in 1990, said it would be interested in joint ventures in the Soviet Union. Newmont also said it was



Goldsmith: Newmont stake alert to mining possibilities there.

But the right to ownership in the Soviet Union remained a hurdle, Gordon Parker, Newmont's chairman and chief executive officer, said.

He said Newmont Mining and its 90.1-per-cent-owned Newmont Gold would continue to seek opportunities to expand. A co-operation agreement on Nevada gold properties, launched earlier in the year with American Barrick, was being implemented.

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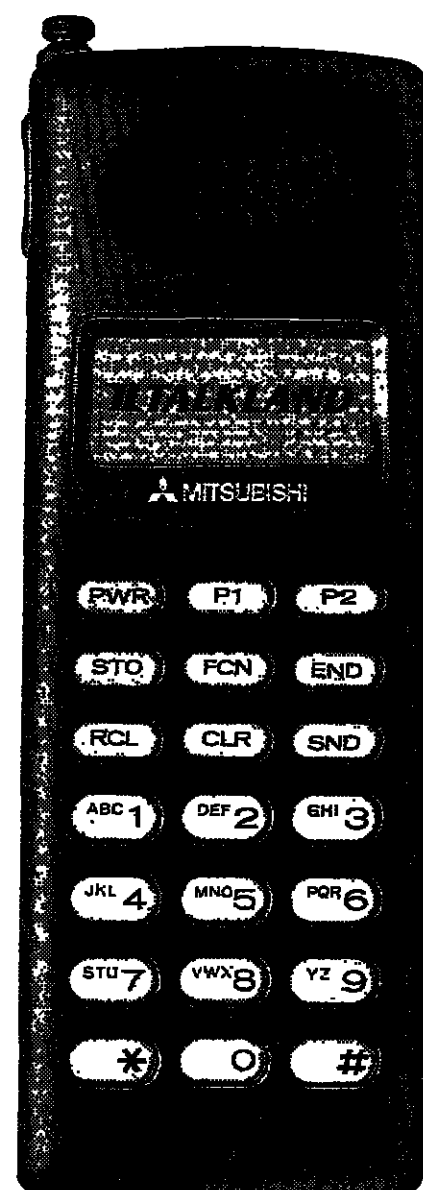
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British Gas versus the regulators

COMMENT

British Gas has seen the future and does not appear to think much of it. Its decision to reconsider widespread tariff changes agreed last spring and confirmed only a few days ago seems bizarre. But the change of mind is almost certainly connected with the fact that British Gas is now in deep trouble with its regulators at Ofgas, the Office of Fair Trading and the industry department and that if they have their way the growth of the business may be materially affected.

Thus British Gas joins the ranks of other privatized companies like British Airways and BT which have grounds for saying that the regulatory regime in which they now operate is much tougher than either management or shareholders could have foreseen at the time of flotation.

With the £4 billion sale of government shares in BT now only weeks away, the issues raised by the British Gas affair are far from esoteric. There are inherent conflicts in the twin state roles of vendor of BT shares and fearless regulator determined

to open up former public sector monopolies to increasingly greater competition.

While the government is forced to wear two hats, it must present a single honest face to buyers of BT shares. There must be no skirting around the fact that the tougher its regulatory stance becomes the cheaper the price it should expect for its BT shares.

There are few problems for investors in this provided they have a clear idea of the government's intentions to take market share from BT and how quickly they expect them to be implemented. Everything has its price. Shares in a lightly regulated monopoly operating in a growth market like telecommunications are one thing. Backing a company where the government aims to take 30 or 40 per cent of its business away as speedily as possible is entirely another.

Gas shareholders also need some clarification. Taken to their

logical conclusion, OFT and Ofgas proposals for greater competition in the industry point to the dismemberment of British Gas into several separate companies. This prospect was not expected by investors even a few months ago. Small wonder that sell recommendations for British Gas shares are starting to emerge.

BT flotation

The very idea that the government considered underwriting its latest BT sale, before deciding against, underlines the difficulty of grafting a sale to the small investor on to an institutional sale aimed to maximise proceeds. The international managed tender never fitted with underwriting, since the aim is to fill up an order

book for shares at the best price on the basis of actual demand. This is a sensible way to make a huge secondary sale of a quoted company whose share price can vary up to the last moment of the three-week offer period needed to bring in the hoped-for millions of small investors.

The lesson of the BP sale has been learnt, though even this method could not cope with a 1987-style crash. The government takes the capital risk of BT's share price falling in exchange for avoiding the discount that would otherwise be necessary. Underwriting would have implied either a fixed price or firm placing of shares, either of which would have undermined the managed tender.

So far, this is going well. Whether through the hype of presentations and brokers' cir-

culars on BT's potential, or through fear among institutions that they might end up short of stock, buyers have pushed the BT share price up 5 per cent relative to the market in the past month.

Unfortunately, at least half the issue will be in the retail offer to small investors. In their case, the ultimate price varies as in the institutional sale. But there is no guarantee that enough will invest. The government has no doubt concluded that, on the experience of recent state sales, there should be no problem filling up the subscriptions for the retail offer, so the risk is minimal.

Initial registrations for perks are encouraging, but a secondary offer is different from an initial privatisation. A discount for small investors of little more than 5 per cent on the full price would already have been eaten up by the rise in BT shares in the early stages of the marketing campaign, if this is sustained. The offer will have to rely on

Property sales

Indebted property groups such as Stanhope and Rosehaugh are struggling to avoid painful equity refinancing at the bottom of the property market. They need sales to pick up quickly. Bank lending to property companies, which increased by 9.5 per cent in the nine months to May, fell by 1.2 per cent to £40.1 billion in the subsequent three months. This is the first quarterly fall for more than a decade, but the earlier rise largely reflected forced lending. Receivers have been holding back from sales to avoid depressing the market further. The leading estate agents think there is pent-up demand, especially from foreign institutions to whom City property must now look relatively cheap. The market is, however, unlikely to stabilise until sellers take the plunge and find out what price levels can be sustained at normal levels of trading.

Defence firms fight to survive by beating swords into Tube trains

As Britain's armed forces contract, so will the industry which supplies them. In the first of a series of articles on the defence business, *The Times* looks at the overall impact of the shift in the balance of peace.

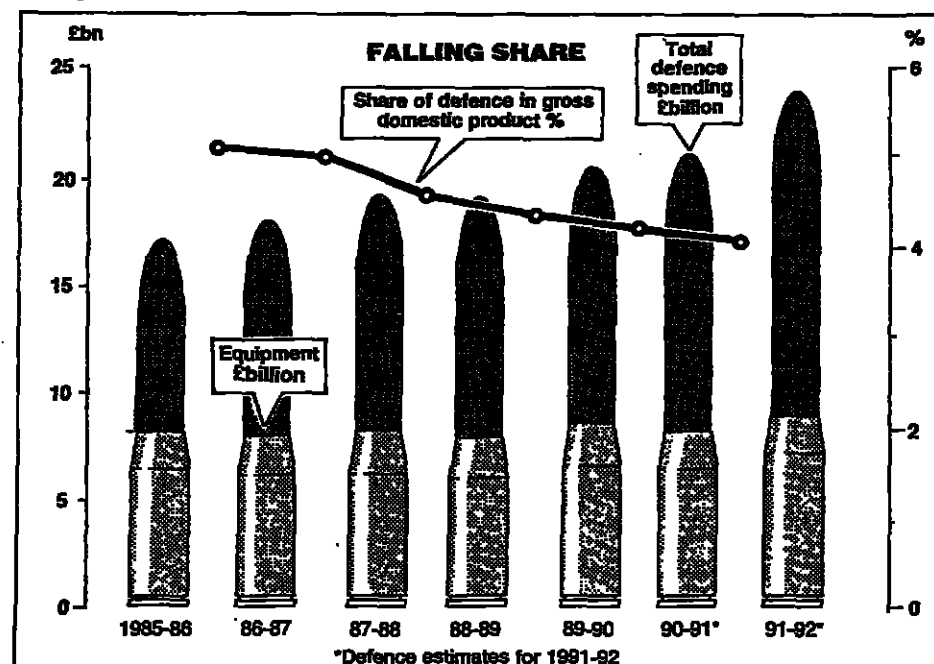
FOR half a century, the defence ministry has been the chief paymaster of British industry. One million people have earned a living designing, making and servicing the arsenal deemed necessary to keep the Soviet Union at bay.

Now, the Soviet threat has declined and defence spending is being pared. Jobs are being lost. The turmoil at British Aerospace, Rolls-Royce, VSEL and Britain's other leading defence contractors is evidence that a thorough restructuring is underway at the very core of our manufacturing base.

In many respects, this is a blessing. The proportion of national wealth devoted to defence has been a drain on Britain's economy. Costly contracts provided industry with little incentive for efficiency. Too many fine brains were preoccupied with developing weaponry, rather than developing innovative products for consumer markets at home and overseas. The reduction in East-West tension is the first opportunity since the second world war to redress the balance.

But the process did not begin with the publication of Tom King's *Options for Change* white paper on defence spending this year. Its origins can be traced to Margaret Thatcher's earliest efforts to introduce competitive bidding into defence contracting, and to a decline in defence spending as a proportion of gross domestic product, which started soon after the Falklands war.

Spending on defence as a proportion of GDP peaked at 5.4 per cent in 1983-4, when the budget was £11.5 billion. Since then, the bill has risen steadily to an estimated £21.2 billion this year. But adjusted



for inflation, there has been little change in total spending, and growth in the rest of the economy has meant that as a percentage of GDP defence spending has declined. Last year it was estimated to have been just 4 per cent of GDP.

Traditionally, spending on equipment has gobbled up about 40 per cent of the MoD's budget. Energy, food, and other miscellaneous purchases account for another 20 per cent, leaving 40 per cent to pay the salaries of servicemen and support staff.

In 1989-90, the defence ministry planned to spend £3.54 billion on equipment, while defence exports accounted for another £2 billion of orders, making defence manufacturing a £10.5 billion-a-year industry.

Ian MacBean, chairman of GEC Marconi, says: "We recognised more than five years ago that defence was not going

to be a growing market in the longer term."

Leading defence companies began to adjust, by combining their operations, by striving to increase defence equipment exports, and by seeking civil uses for their skills and factories.

The recession, accompanied by high interest rates, and pressure on companies' non-defence activities, has triggered an accelerated search for cost savings, and the loss of tens of thousands of defence industry jobs. For some, the battle for orders has become a matter of survival.

There has been a remarkable concentration of ownership in defence manufacturing in the past few years. British Aerospace has gobbled up Royal Ordnance and Heckler & Koch, the German small arms maker. The General Electric Company, parent of GEC Marconi, has taken over

Plessey, once Britain's second biggest electronics group, and large chunks of Ferranti. Both BAE and GEC have gone on to forge alliances with overseas defence contractors. There will be more.

The strategy of the industry's leaders, encouraged by the defence ministry, is to develop the ability to act as prime contractors, delivering an integrated "weapons platform" such as a ship or an aircraft, with its associated electronic systems up and running, to the customer. To reduce risks and spread costs, they are under pressure to co-operate, as BAE and GEC did when they bid jointly, though unsuccessfully, for the £1.5 billion contract to provide an integrated weapons system for the EH101 Merlin helicopter this year.

As other countries also cut their budgets, so weapons programmes are becoming more international in order to achieve adequate volumes to support research and development costs. Partly to help maintain the viability of Europe's biggest weapons industry, the British government has taken a lead in developing export markets, signing broad-ranging memoranda of understanding with Saudi Arabia and Malaysia. BAE's work for the Saudis, obtained in this way, is expected to be worth £2 billion a year to the end of the century. Subcontracts will be spread throughout the industry.

Mr MacBean says: "We regard the defence business as

still a good business to be in. Our aim is to maintain our position in a changing world."

But Britain's biggest defence contractors are quoted companies. They need to grow sales and profits to satisfy shareholders, and to fulfil the aspirations of their managers and employees. Many also say they feel a social responsibility towards employees, who often have specialised skills and work in large plants on which whole communities depend.

These companies have devoted considerable resources to diversification. Their success has been mixed. The Royal Dockyard at Rosyth, managed by Thorn EMI, has secured a large contract refurbishing tube trains for London Underground.

GEC-Marconi has a workforce of 30,000 and a £3.75 billion defence order book; it benefits from belonging to a famously well-run, cash-rich group which makes products ranging from weighing machines to railway trains. If any company should be able to successfully beat some of its electronic swords into ploughshares, this is it.

Yet it has taken GEC-Marconi five years, and a lot of investment, to reach the point where a fifth of its sales come from non-defence sources. The process is slow. But one achievement is striking. Earlier this year, the company secured an order, potentially worth £200 million, to develop the fly-by-wire controls for Boeing's next airliner, the 777. The technology will be based on skills acquired in government-funded research for the Tornado fighter bomber.

Unlike other European governments, Britain's has not provided industry with financial assistance to ease the transition. Trade union leaders say it should. Most industrialists believe the government should help with re-training, but no more.

Leading edge technology is the defence industry's greatest asset, overhauling its burden, and time its enemy. Altogether, an unstable cocktail.

Successful diversification cannot be assured. Correcting the overdependence of British manufacturing on defence will be a slow and often painful process, but it is long overdue. Some contractors, however, will not doubt stick to what they know, and simply mark time in pace with demand.

A mouse roars in Bangkok

Anatole Kaletsky witnesses an IMF sideshow

"You cannot print your own currency because you don't even have \$15 million to buy a printing press," he said.

"We would have if you Russians had not stolen \$500 million from our country," the hurt Mr Savchenko responded. But Mr Yavlinski was un-



Yavlinski: barracked

abashed. "You haven't been a country for hundreds of thousands of years, so why should you be a country now?"

At this point, the outraged Mr Savchenko announced that he would lodge a formal application for independent Ukrainian membership of the IMF and World Bank that very afternoon. By 7pm Bangkok time, however, there was no record of any such application being received.

In a more serious vein, Mr Yavlinski conducted a number of bilateral meetings with finance ministers from the Group of Seven leading industrial countries. After an hour of talks with Norman Lamont, the Chancellor, British officials said they were very impressed by the Soviet delegation's realism and frankness. Mr Yavlinski had disclosed an unprecedented amount of detail about his country's financial position and had appeared willing to answer all questions with remarkable candour, officials said.

BUSINESS LETTERS

Taurus requires a more credible timetable

From Professor R.P. Kinsella
Sir, The acceptance by the Taurus project director, Mr John Watson, that the proposed launch date of May 1992 would not now be met will not have come as a surprise to the main financial institutions.

This emerges clearly from interviews carried out over the summer with leading institutions in the City and Scotland. The general view was that "it is unlikely that the official timetable for full dematerialization will be achieved". When asked: "When do you think you will change over to Taurus?", the majority replied in terms of 1993, while several even stated that they envisaged full dematerialization being implemented as late as 1996.

There was, however, little evidence of "anger" at the anticipated slippage. Institutions acknowledge the formidable technical and logistical difficulties involved in managing the transition to a dematerialized system. This, and the pressing need for London to catch up with technically more efficient settlement systems in Paris and Frankfurt, more than justified the ambitious pace set out over the last year or two by the Taurus team.

Having achieved a great deal through this strategy, there is now a compelling case for the adoption of a more credible timetable if the support of the institutions is to be maintained. In relation to the reasons for the delay, none of the institutions anticipated any difficulty in adapting to dematerialization *per se*. The main transitional difficulties identified related to the development of appropriate software and, in the case of some of the larger banks, the integration of systems for different activities on which Taurus will impact.

Among the more encouraging findings of the study were the fact that all institutions interviewed anticipated deliv-

ering a higher level of service with more up to date information, more response systems, the provision of "add on" services, and, importantly in the case of service regulations, a higher degree of predator protection for their client companies.

Institutions, especially the larger banks (which provide a wider variety of equity-related services) are prepared to incur fairly significant retaining costs in anticipation of the net savings and benefits which Taurus is expected to generate. Such savings will entail labour shedding — of which there is already evidence — accompanied by a shift in the skill-mix of the settlement-related activities of equity processors.

Yours faithfully,
R.P. KINSELLA,
Professor of Banking and Financial Services,
University of Ulster,
Coleraine,
Co Londonderry,
Northern Ireland

Costly Taurus should be returned to the drawing board

From Mr A. Hunter Smart
Sir, At last an influential institution, the Law Society, has publicly questioned the basis of Taurus (Business, September 25). As a partner in

a firm of private client stockbrokers, I support any change for the better — but that is not what we are to get.

Taurus, plus Rolling Settlement, is designed for the benefit of the banks and institutions.

The Stock Exchange is now forcing it, at huge expense, on a generally sceptical membership.

Originally, Taurus was "sold" as a means of i) increasing efficiency and reducing costs, and ii) enabling London to remain the centre of Europe's securities industry.

What we now face is a system so complex that overall costs can never fall. Furthermore, the position of London is a commercial

gamble. If that fails, the Stock Exchange will have turned the domestic market on its head for nothing.

We will all be worse off — the private investor, the broker and the market as a whole. This is all before any of the legal problems now identified by the Law Society.

A well designed, practical and cost effective computerised system is welcome, but Taurus is not that.

Surely someone has the courage to admit it has gone horribly wrong and to return it to the drawing board?

Yours faithfully,
ALASTAIR HUNTER SMART,
Yeomans Cottage,
Great Ouseburn,
York.

Hanson criticised for its success

From Mr A. Morris
Sir, I refer to two articles (October 7), referring to a report by James Capel on Hanson Trust.

Whilst James Capel's report would seem to be critical of management, it paradoxically suggests that Hanson shares are a "buy". The report appears to criticise Hanson for its brilliant cash management, inferring that there is something "fragile" in such profits.

What that other British com-

panies had such "fragile" profits. Such profits are anything but "fragile", and lest it be forgotten, directors' duties surely are to maximise profits for shareholders, using, as an eminent judge once remarked, every legal means to mitigate tax.

It does seem a particularly British disease always to try to find fault with success. Yours faithfully
ALAN MORRIS
10A Logan Place, W8.

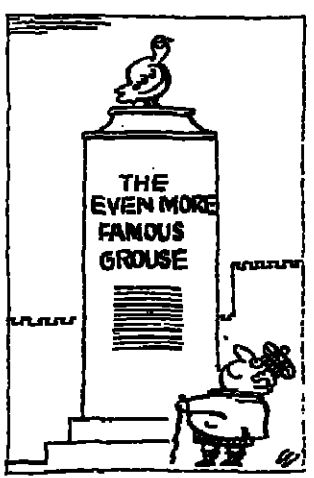
Double honour for Sir Paul

SIR Paul Girolami, the chairman of Glaxo, has returned to his native Italy to receive one of the nation's highest honours. Sir Paul is due in Rome today to have the Cavaliere del Lavoro, Italy's equivalent of a knighthood, conferred on him by Francesco Cossiga, president of the Italian republic. The award is in recognition of his contribution to the economic, scientific and cultural development of Italy. Yesterday, he was awarded an honorary degree in chemistry and pharmaceutical technology by the University of Trieste, Italy. Sir Paul, who was born in a village north of Venice and moved to London when he was two years old, seems to spend most of his time travelling between London and Tokyo, and has just clocked up his hundredth trip. On his most recent trip, Sir Paul opened Glaxo's new research centre at Tsukuba Science City, north of Tokyo.

Limp handshake

DAVE Trott, the creative genius behind advertising slogans such as "Hello Tosh, gotta Toshiba?" and "Lip-smackin' this quenchin'..." received a mere £175,000 in compensation when he was ousted from the Gold Greenlees Trott agency last year. The amount, revealed in GGT's latest report and accounts, represents only one year's salary with nothing added for loss of office — curious considering Trott was a founder of the company and is the biggest personal shareholder, with 5.7 per cent of the

equity. Word on the street is that he was negotiating for a far bigger golden handshake in return for a pledge that he would not set up in direct



competition with his old employer. Trott is now running his own advertising agency.

Musical message

THE collapse of the Rough Trade music empire earlier this year is causing headaches for KPMG Peat Marwick McLintock. KPMG, which was appointed administrator to Rough Trade Distribution in May, has gone to the High Court for directions over the status of £3 million or so held in an escrow account. KPMG is taking a neutral stance and hopes for an early decision. The 80 independent record labels that have lost out want the cash split between them. Perhaps as a dig at the financial establishment, the labels have released a fund-

raising album called *A History of Debt*. The tracks include such revealing offerings as *Push Me Shore Me*, *All My Dreams Are Dead* and *Let's Kiss And Make Up*.

Marathon men

DO NOT be alarmed by the growing numbers of City types who have taken to pounding the streets during their lunch hours. Chances are they are getting in shape for the New York marathon on November 3. Peter Clarke, managing director of Salomon Brothers, and Richard Gray, of Gerrard & National, are among 130 entrants, many of them from the Square Mile, who are running on behalf of Whizz-Kidz, a charity that provides wheelchairs for disabled child-

ren. Teams from Kleinwort Benson, Hambros, Touche Renmant and Morgan Stanley International will be doing their bit.

Caring colleagues

REMARKS by the Duchess of York in London last week have been taken literally in some quarters of the Square Mile. The Duchess was attending a cartoon auction in aid of Care, the Third World relief charity, when she urged guests to get out their wallets and not their business cards. Claire Jenkins, who sells UK equities for Credit Lyonnais Laing, and who was keen to increase the bidding, found herself paying £150 for an unwanted cartoon. The next day, colleagues at Laing got out their wallets again and re-auctioned the cartoon. Now, Jenkins, who had bought several cartoons in the past, is back in the black and a further £300 has been raised.

JON ASHWORTH

THE TIMES CITY DIARY



STOCK MARKET

Profit downgradings send BAA down 9p

BAA, which operates most of Britain's main airports, including Gatwick, Heathrow and Edinburgh, fell 9p to 439p, after being hit by a volley of brokers' profit downgradings.

Lehman Brothers, the broker, and rivals Charterhouse Tilney and Carr, Kitcat & Aitken have all reduced their forecasts, worried about write-downs of the group's American property portfolio and mounting redundancy costs. Carr cut its pre-tax profit forecast for the current year by a £40 million to £210 million. That compares with £247 million made last year.

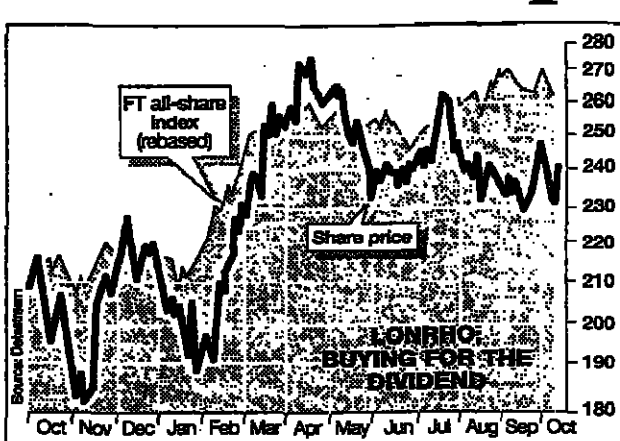
Mark Laurence, an analyst at Carr, says BAA will have to reduce the value of its Fifth Avenue development in New York by at least £20 million. This comes after news on Friday of writedowns totalling £90 million by Hammerson, because of the depressed state of the New York office market. Hammerson 'A' rose 17p to 595p.

The rest of the equity market recovered from a hesitant start to the new account that saw the FT-SE 100 index claw back an early fall of almost 17 points to finish the session 19.5 higher at 2,574.5. A total of 433 million shares were traded.

Government securities finished the day nursing losses of 1/4 at the longer end as hopes of a cut in interest rates continued to recede.

Glaxo managed to halt the recent slide in its share price with a rise of 23p to £13.90, as dealers continued to assess plans to market over-the-counter sales of ranitidine, its anti-ulcer treatment.

Lonrho, the international trading group headed by Roland "Tiny" Rowlands, jumped 10p to 243p, helped by bullish comments from



Robert Fleming Securities, the broker, and rival James Capel. They are optimistic about the group's prospects in the improving precious metals market. There had been fears in the wake of the abortive Soviet coup that large amounts of platinum and gold would be offloaded on the open market in exchange for hard currency. But that scenario has never materialised and worldwide stocks are reckoned to be a lot lower than earlier estimates.

Lonrho traditionally pays a generous dividend and, according to Fleming, is now starting to attract the income funds in the run-up to figures expected in January. This time the payout is expected to grow from 16p to 16.8p de-

Shares of three companies struggling to convince institutions to support their call for more funds had a better day, with British Aerospace rallying 8p to 379p, Hilldown Holdings 3p firmer at 298p and Asda 4p up at 44p. Dealers claim all three issues remain in the balance.

Shares of the electricity distributors were quoted to include the second call of 70p. Cheques must be in by Thursday, to allow time for clearance. In their new form Eastern eased 2p to 244p, East Midlands 5p to 265p, London 2p to 265p, Manweb 3p to 311p, Northern 4p to 268p, Norweb 1p to 286p, Seaboard 2p to 272p, Southern 1p to 271p, South Wales 5p to 329p, Yorkshire 2p to 296p while South West, on 269p, and Midland, on 279p, were unchanged. The electricity package rose £18 to £2,843.

spite a downturn in the pre-tax profits forecast of £18 million to about £255 million.

Tiphook, the fast-growing container and trailer rental group, eased 3p to 542p, after announcing plans to seek a quote for its shares on the Hong Kong stock market. Trading was expected to begin on Thursday.

The independent television companies shared a day of mixed fortunes as they waited to hear the outcome of the franchise bids. Thames Television fell 11p to 193p. There has been speculation that it will lose its franchise to Carlton Communications, up 6p at 526p. HTV was 1/2p cheaper at 51 1/2p while Television South West was unchanged, on 82p, along with TVS, on 28p, and Tyne Tees, on 235p. There were gains for Anglia, 15p to 236p, Grampian, 3p to 80p, Scottish, 28p to 605p, Ulster, 11p to 135p, and Yorkshire, 6p to 204p. Central Independent Television was steady at £10.28 after going ex-dividend.

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MICHAEL CLARK

TEMPUS

Dimmed lights at Lucas should shine brightly again

THE old chairman's cliché that a company is well poised to take advantage of the upturn when — or if — it comes might just be true for Lucas Industries, to judge from the company's aggressive investment in hard times. In the meantime, the toll on the company's resources is daunting.

Lucas, headed by Sir Anthony Gill, warned the market in July that second-half pre-tax profits would be about half the £55.3 million made in the first six months, so a slip from £191.2 million to £83.6 million in the year to end-July came as little surprise. A maintained dividend helped to prompt a 4p rise in the share price to 139p, but wiped out attributable profits.

The worst news, inevitably, came from the automotive side, with operating profit down from £123.9 million to £39.4 million. Only £6 million of that was generated in the second half. British automotive operations have borne the brunt of the 4,500 redundancies across the group after losing £12.4 million at the operating level during the year and almost twice that in the second half.

Operating profits in aerospace held up better, a year-on-year figure of £65.3 million just failing to match £68.9 million last time. Redundancy costs all but doubled to £24.4 million but property profits fell by £6.7 million to £2 million. With research and development and depreciation costs up by a total of £17.2 million, total cash outflow from the group was £151 million.

Gearing rose from 21 per cent to 39 per cent. Lucas requires a favourable ruling from the authorities on its bid to claw back £90 million from its pension fund to trim this to a more comfortable 26 per cent.

John Lawson, at Nomura Research Institute, reckons pre-tax profits this year will again be in the £80 million to £85 million area, bouncing to £125 million in 1992-3 if recovery in its markets comes as expected next year. For the current year, Lucas will continue to have the ACT problems that boosted the tax rate for last year to 37.5 per cent, and the shares



Investing for upturn: chairman Sir Anthony Gill

are selling on a multiple of 19 times earnings. Little immediate reason to chase, with further profits downgradings probably on the way, but the shares should weather the downturn better than others in the sector.

Highland Distilleries

HIGHLAND Distilleries' complex share deal with Rémy Cointreau, struck a year ago and giving it a 20 per cent direct holding in the French drinks company, is already paying dividends.

In an otherwise flat year for Scotch whisky sales, Highland increased exports 16 per cent in volume terms, assisted by support from Rémy's established distribution network in countries, including America and The Netherlands, where Highland's market share is modest.

Highland is, however, still strongly dependent on British sales, accounting for 70 per cent of turnover, and here the outlook is not so bright. Sales of The Famous Grouse, its flagship brand, were held last year against an industry decline of 3 per cent but with leading distillers fighting back through keen pricing, a repeat perfor-

mance will be difficult.

A 14 per cent rise in pre-tax profits from £24.7 million to £28.2 million in the year ended August 31 met market expectations, tempered by concern over the impact of a stiff duty increase in March and the introduction of a changed bottle size to meet new European regulations. The dividend rises from 4.8p to 5.52p from earnings of 15.1p per share, up from 13.2p.

Even after stripping out last year's distortions and the effect of the Gulf war, it is apparent the underlying sales trend is not encouraging. Highland has stepped up its marketing strategy and is quietly confident that it can at least maintain its share in important areas while establishing a presence in other markets.

Michelle Proud, County NatWest analyst, expects profits of £29.8 million this year. This would value the shares, unchanged at 295p, at 18.5 times prospective earnings of 15.9p. That looks steep, particularly against Whyte & Mackay's offer of 16.5 times forecast earnings for Invergordon. Rémy's promise to buy up to 10 per cent of Highland offers some support but the shares should not be chased higher.

After-the-boom hangover for Nordic banks

By COLIN NARBROUGH, ECONOMICS CORRESPONDENT

CHRISTIANIA Bank og Kreditkasse, Norway's second largest bank, had its shares suspended on the Oslo stock exchange after a disturbing declaration yesterday that its private share capital was "worthless". On Friday, its two classes of shares had been quoted at 7 and 19 kroner.

Despite their untold oil and gas wealth offshore, the Norwegians are having a bad time onshore with their crippled banking industry. And they are not alone in their woes among the Nordic countries.

Across the region, once renowned for its financial prudence and caution, banks are suffering from the effects of over-expansion in the Eighties and financial deregulation in readiness for a more integrated Europe.

In addition to bad consumer and corporate debt, Norway has had to cope with the trauma of the 1986 collapse in world oil prices. The sorry saga of Kreditkasse has forced the country's Labour government to commit itself to putting life-support measures in place next week for the ailing banking sector. The country's central bank is to ensure liquidity and, it is hoped, bolster market confidence.

A proposal to be put to the Storting (parliament) will include the transfer of an extra £440 million of government funds to stock up the recently established Bank Insurance Fund. The resources of the fund have been half-exhausted by the two basket cases:

Kreditkasse and Fokus Bank, the country's third largest bank.

A comforting central bank statement made clear that the authorities wanted to strengthen Kreditkasse's capital to enable it to meet international capital adequacy levels that came into force from the end of next year.

Kreditkasse's difficulties came to light in a review of its investment and lending portfolio showing that its private share capital had been obliterated during the third quarter of this year.

Casualties have also been high this month at the other end of the Baltic, in Finland.

Last week, Jaakko Lassila, chairman of Kansallis-Osake-Pankki, the country's premier bank, tendered his resignation after the bank issued a statement announcing heavy losses. Saastöpankkiin Keskus-Osake-Pankki followed up with a £68 million loss, having only last month been taken under the protective wing of the central bank, an unprecedented step in Finland.

But Finland's banks are well capitalised compared with Norway's, which have lost about £3.5 billion in the past five years.

To deepen the gloom, the stock exchange took fright over the capacity of Norway's biggest bank, Den norske Bank, to meet the new capital adequacy requirements without fresh capital. The bank said it would be able to, but dealers are waiting for third-quarter results to make sure.

WALL STREET

Dow shows early gains

New York — Blue chips posted mild gains after a slow and sloppy opening. The broad market was firm and the Dow Jones industrial average was up 9.39 points at 2,993.07 in early trading.

Analysts said that the Dow could test 3,000, but sellers

were likely to emerge at that level. Advancing shares led declining shares by four-to-three.

□ Tokyo — The Nikkei average was below 24,000 for the first time since September 30, sliding 297.05 points to 23,860.67. (Reuters)

Due to technical problems the Wall Street prices are not available

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COMMODITIES

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هكذا من الاصل

Is the motor industry turning the corner?

On the eve of the London Motorfair, Kevin Eason reports on the fortunes of Britain's motor industry, which is facing the worst slump in a decade

The stage is set... but the recession will deprive London's Motorfair of two of the biggest car makers in Europe. While manufacturers from Korea, Malaysia and even South Africa are represented, Rover and BMW are among the companies that have decided against taking stands.

Few other industries have had to cope with the scale of losses forced on Britain's biggest manufacturing industry, where sales lost this year because of the recession are estimated to amount to £6 billion. Sales of cars have fallen sharply from a record figure of 2.3 million in 1989 to a predicted 1.55 million for this year.

Rover and BMW could have provided centrepieces for Motorfair, Rover with its new 800 series car and BMW with the new 3-series. Both decided to save their money, up to £1 million on some estimates, for advertising campaigns, and the public will have to wait until next month to see Rover's 800 range in the showrooms for the first time.

Other manufacturers were certainly on the brink of missing the show, and if Ford, suffering a loss in sales of more than 100,000 cars in the first nine months of the year, had pulled out, Motorfair might have collapsed.

Manufacturers of luxury cars, for example, have been under siege at home and abroad. Sales of Jaguars and Rolls-Royces have almost halved in Britain this year.

Charterhouse, the City-based bankers, says the principal reason for the slump is a 40 per cent cut in



Plenty of cars in stock: compounds full of unsold Escorts at Ford's Halewood plant in Liverpool, which has led to thousands of production line redundancies and left a question mark hanging over the factory

spending on company cars since the Chancellor of the Exchequer's Budget in March, when another 20 per cent was added to employee tax scale charges, taking the overall rise since 1987 to 220 per cent. In addition, companies were told that they would have to pay national insurance contributions on employee company cars.

Jaguar relies on company purchases for 90 per cent of its sales in Britain, so there was little surprise at the company's Coventry headquarters at the devastating effect of the Budget.

The ripples have spread into every sector of the car market, however, and leading companies such as Ford, Vauxhall and Rover

have also had to suffer the backlash of the government's decision to slow down consumer spending. Ford has ended up with 85,000 cars in stock, including a large number of unsold Escorts and Orion's made at its Halewood



Last week's headlines when Ford announced mass sackings

plant in Liverpool before the summer break.

In spite of being forced to put 3,800 Halewood workers on short-time working for the rest of this

year, Ford is among the first to sense that the worst may be over and that the company could face Motorfair with more confidence than at any time for two years, as buyers are returning to the showrooms.

amounting to £2,000 a car, but that was followed quickly by Vauxhall with its cashback scheme worth up to £1,500 to some customers. Most of the other manufacturers were keen to do deals just to keep cars moving out of the stock compounds.

The result was an upturn in business, but just how much it has cost is yet to be calculated. Some analysts believe Ford spent £35 million on discounts in August alone.

Ford wants to keep up the momentum of increasing sales and is continuing its policy with discounts of up to £800 on Escorts and Orion's until December. However, this week union leaders

demanded pay increases for 29,000 manual workers at Ford. The claim, which calls for shorter hours and an increase in pensions, is mild in comparison with previous years in which Ford workers have enjoyed some of the biggest wage awards in manufacturing history.

There are mounting fears that without substantial increases in productivity at Halewood to match the output of British-based Japanese car makers, the Merseyside plant could be the target for closure.

Despite the gloom and two years of falling profits and sales, there is an air of confidence at Motorfair.

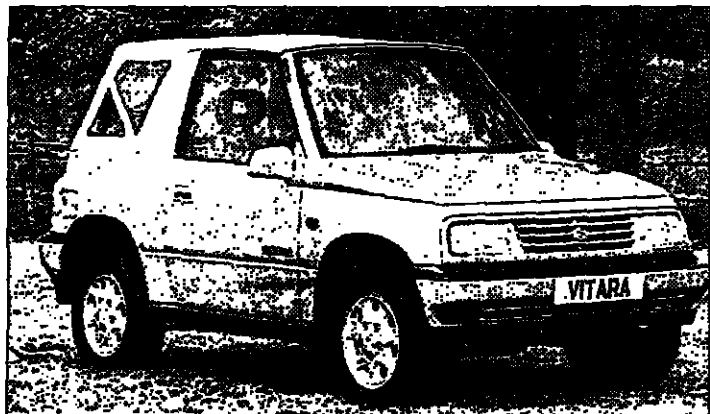
where more than 40 new models will be on show, including new brands such as Kia, from Korea, and Sao Penza, from South Africa.

The French will be there in force. Peugeot will bring in its new 106 model, Renault its new sporting 16v Clio, and Citroën its ZX compact competitor for the Escort.

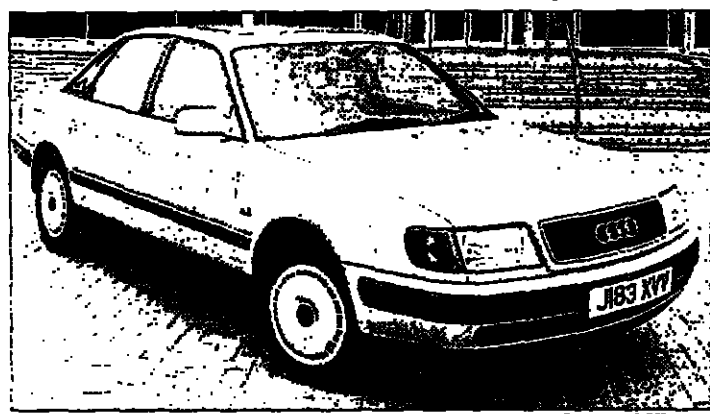
Mercedes-Benz will top the show with its S-Class, two tons of motor car packed with the latest in technology, challenging any idea that there is not enough money in the economy to buy up a model that will retail from £60,000.

All that the manufacturers at Motorfair have to do is to convince the public to start spending money on their products.

The stars line up



Suzuki Vitara JLX SE: the smallest 4x4 drive-anywhere model



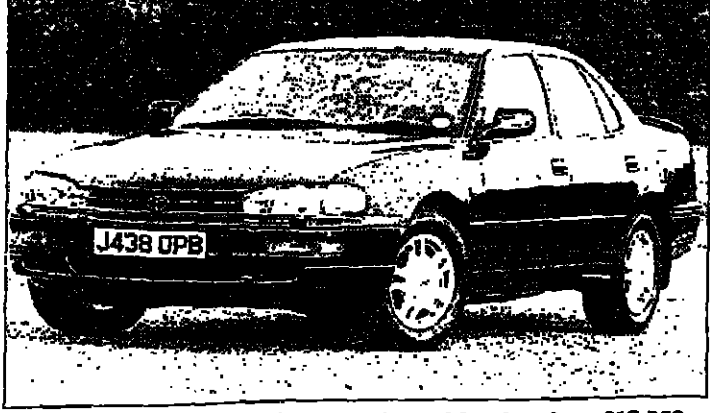
Audi 100 TDI: recently voted the "safest car in the world"



Porsche 968: will be at show after the company's change of heart



Saab 9000 CS: with strongest possible specifications



Toyota Camry V6 GX: change in class with prices from £18,359



Peugeot 106 XSi: a stylish looking top-of-the-range French contender for the British market

If the car makers' confidence has been shaken by a poor sales year, it hardly shows, Kevin Eason writes. More than 40 new models are on view at the London Motorfair. Interest at motor shows usually centres around the big and the beautiful: a Ferrari's curves or the power of a Lamborghini. This year, however, the spotlights will be on models that emphasise the trend towards smaller-engined cars. They have roomy cabin space, yet they are more powerful and economical, and environmentally friendly.

The show-stealer will be the new Vauxhall Astra range, being unveiled at Motorfair and threatening to replace the Ford Escort as Britain's favourite compact-sized car. The 1992 target is more than 100,000 sales.

The shape gives the car a more boxy look than the earlier model but it is sleeker and offers more power from a range of engines.

Vauxhall, Britain's second largest car company, has hastened the swing towards conserving the environment and improving security. The Astra will be the first British-made car in its class with catalytic converters fitted to petrol models as standard. Rivals normally charge £200-£300, for a catalyst, which removes 90 per cent of toxic emissions. Vauxhall, however, believes the public will embrace green practices more quickly if the cost of the catalyst is absorbed in the total price. The spin-off is likely to be in much better resale values in just over a year's time when catalysts are standard on new cars by law.

The Astra also has deadlocks and its radio is separated from the dashboard display, so that thieves will be unable to steal one piece without the other, making the task so difficult as to be barely worth the effort.

In the small car market, which accounts for more than a third of sales in Britain, Peugeot, Citroën and Renault are trying to draw customers away from traditional choices. The Peugeot 106 is the newcomer. The company needs to find 60 per cent of its British sales

SHOW DETAILS

Opening: Motorfair is at Earle Court from October 17 to 27, 9.30am to 7.30pm, except October 24 (to 5pm) and October 27 (to 6pm).
Admission: October 17 (preview day) £12 (all tickets, all days). Other days £7 (children and pensioners £4). After 5pm, all admissions £4.
Parking: Limited to 1,800 spaces. Visitors from the southeast are encouraged to use public transport.
Travel: by train: BRT is selling a joint travel and admission ticket. Enquire at your local station. By coach: a list of companies running Motorfair trips is available from the box office (071-373 8141). By tube: District and Piccadilly lines to Earle Court or West Brompton stations. By bus: routes 30, 31, 74, C3.

through "conquests" from Ford, Vauxhall and Rover. Peugeot could well succeed with the quality of its finish and its excellent performance, road-holding and stylish looks.

The Renault 16v Clio, the top-of-the-range addition to an already successful range, is an attention-grabber with plenty of acceleration and understated styling.

The new Ford Escort range has taken time to become a favourite. Big discounts have helped to put the car in second place in the best-selling lists. The flagship model, the RS2000, with a 130mph top speed, is being shown for the first time at Motorfair.

VW promises a new Volkswagen Golf judged to be the safest in its class, with catalytic converters as standard. The engines start with a 60 brake horsepower 1.4-litre, and go up to a fearsome 174bhp, 2.8-litre VR6.

A mid-range model to be unveiled is the Seat Toledo, which on sale this month with engines from a 1.6-litre up to a 16-valve, 136bhp GT and a 1.9-litre diesel.

Audi is making virtue a talking point by announcing that all its 1992 cars will have anti-lock brakes as standard across the range. The new Audi 80 small model range comes to Britain in January but it will be shown at Motorfair visitors alongside the new 100 range, which has recently been voted the "safest car in the

world" by an independent German magazine.

A healthy rearguard action is still being fought by manufacturers of big sports cars. The Mercedes-Benz S-Class, which is being hailed as the world's finest and is being shown for the first time, is aimed at ensuring that no rivals can match its technology, performance and comfort. It even has double glazing, never used by any car manufacturer before.

The latest Porsche 911 Carrera RS and four other models will be there, after the company's change of heart about not appearing. The revamped Jaguar XJS range, as well as the 330bhp, 6-litre V12 JaguarSport XJRS, will guarantee that the Germans do not steal all the limelight.

The second-generation Saab 9000 series, a sleek saloon for motorway cruising, comes in a nine-model range offering four different high-performance 16-valve engines, from 130bhp to 220bhp. All the cars have catalytic converters and anti-lock brakes, underlining the trend towards the strongest possible specifications.

Eye-catching designs are expected from the Mazda MX-3 and MX-5. The MX-3 comes as a 1.8-litre V6 at £15,449 or a budget 1.6 fuel-injected version at £13,449.

The Toyota Camry mid-range series moves out of the mass production saloons and into the executive class. The car comes in two engine packages, a 134bhp 2.2-litre and a 185bhp 3.0-litre V6, and the prices reflect the move upmarket at £18,359 and £22,325.



Ford RS 2000: flagship of Escort range, with 130mph top speed



Vauxhall Frontera: first four-wheel drive from General Motors



VW Golf: new, safer model, with catalytic converter as standard



Mazda MX-3: £15,449 for the eye-catching 1.8-litre V6 model

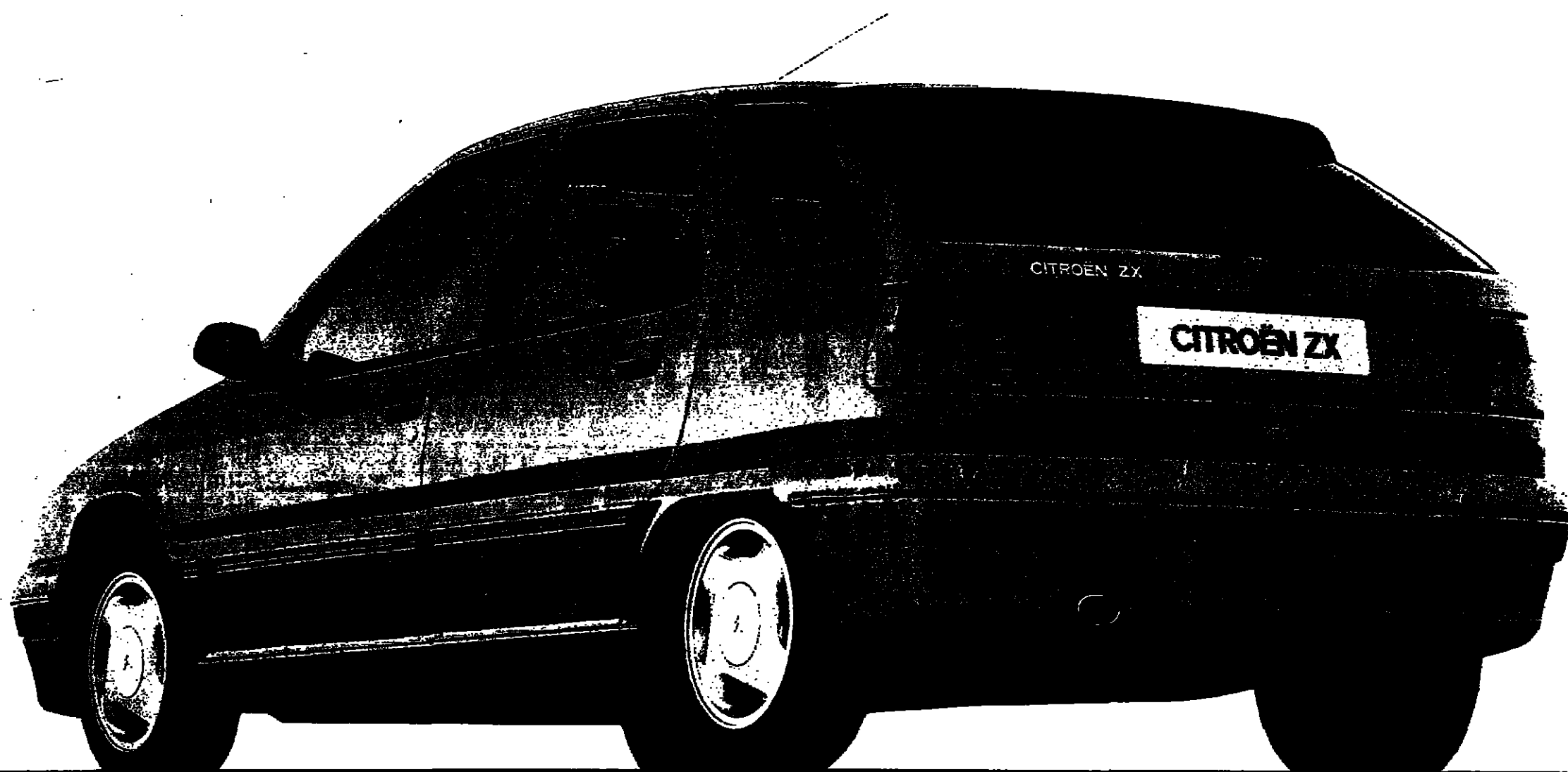


Vauxhall Astra: new standard features make it the show-stealer

Karen have the
made about a new car
So you'll just do
best what prompted a
motorist's acclaim.
The solid Vauxhall
bring you at once
is covered in more.
There's a change
from a frugal 1.4 litre
upgraded 1.6 litre and
fuel-economical 1.8 litre.
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"Vastly superior to the new Escort and the Astra, more entertaining to drive than the Renault 19..."

CAR MAGAZINE, APRIL 1991

"I never doubted for a second that the double chevron could build an Escort beater if it wanted to?"

AUTOCAR AND MOTOR, MARCH 1991

"Has the Rover 200 now lost its crown as best family car? The answer is yes?"

WHAT CAR? JULY 1991

"With brilliant handling and an amazingly good ride, nothing touches it at anywhere near the price?"

WHAT CAR? SEPTEMBER 1991

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High-speed gas in the luxury lane

Car makers such as Jaguar, Mercedes-Benz and BMW are turning to innovation and style to revive their market, John Blauth reports

In a keen luxury car market, where new tax laws have had a profound effect, manufacturers are turning to product development to enhance the value of their vehicles. They are making them safer and longer-lasting and are even developing models that run on liquid hydrogen, where the only waste product is water.

Luxury cars have not sold well this year. The recession has seen companies put an end to conspicuous consumption by their directors. Overtime in their factories is often only a memory that is spoken of fondly, as job losses in industry are running on a par with business closures.

The first area of corporate economy has been in the allocation and replacement of company cars. The sector into which top 5-series and 7-series BMWs, all Jaguars and most Mercedes-Benz cars fall is down by 48 per cent since 1990. In company car parks these days, it is C- and D-registered Jaguars, BMWs and Mercedes that are the norm.

The view at Jaguar is unequivocal. The biggest single influence on the British market has been the uncertain economic situation. Customers are unwilling to commit themselves to large purchases. Therefore, requests for new com-

pany cars sit in finance directors' in-trays, waiting to be signed.

There is some evidence that traditional buyers of luxury cars are trading down to smaller, less expensive cars, so the sector is showing a disproportionate fall to the whole British market, but the unchanging tax scale benefits are also having an effect on individuals who get company cars, even at a senior level. "I don't care what it costs, but you have got to invoice £28,950," is a common request.

David Boole, Jaguar's director of communications, sees the market improving slowly next year, in response to several factors, including measures the company is taking to encourage sales. "We have kept the XJ6 4.0-litre below £29,000 and we have the new 3.2-litre saloon which, with the sport handling pack, also falls below that tax break," he says.

In common with BMW and Mercedes-Benz, Jaguar is convinced that personal taxation on company cars is the determining factor in stimulating growth in this sector. The average income of the buyer of this sort of car in the United States is \$200,000 (about £116,000). In Britain it is £45,000.

As soon as it is no longer advantageous to have a company car, the effect on the British car

market will be disastrous. Walter Greaves, the director of passenger cars at Mercedes-Benz, laments present trading conditions. "After years of growth, the luxury segment is down at least 30 per cent," he says. "The crucial thing is personal taxation. If the bands do not move with inflation, then the market will shrink. If you make something more expensive, then some people will leave the sector."

Mercedes-Benz, by keeping the market in relatively short supply, has managed to maintain a keen interest among customers. The new S-Class, priced between £40,000 and £90,000, has a two-year order book in Britain of about 3,000 cars, with an estimated value between £120 million and £270 million. More than a third of orders are for the 300SE entry-level car, while about 500 are for the V12 600SEL top-of-the-range.

Mercedes-Benz is also proud of its used car values. It claims that during the past ten years, its cars have had better resale values than those of any other manufacturers represented in Britain, and that, in part, has maintained the marque's position.

Personal taxation on company cars has had a noticeable effect on



S for seductive: Walter Greaves, of Mercedes-Benz, takes pride in the lines of a new S600 SEL.

BMW sales. "The difference between us and other companies in this market is that our range covers cars costing from £13,000 to £62,000," a spokesman said. "Tax breaks are significant, but the £28,000 barrier is relatively unimportant in terms of our total sales."

BMW believes that product development is the way forward. Typically, it has chosen to strike a technologically different approach, in keeping with the times. "The luxury car market will always exist," is the company's

view, "but its form will inevitably change."

In Germany, there is a 5-litre, 12-cylinder, turbo-charged liquid hydrogen-fuelled car undergoing regular endurance road-testing. Its performance is the same as that of a 735i and it looks like a long-wheelbase 750i, apart from the big insulated tank, rather like a giant Thermos, in the boot to keep the fuel at its required -235°C. The only waste product as it runs is water.

The car is part of a pilot project in which liquid hydrogen is pro-

duced using solar power as the prime energy source. In simple terms, sunlight comes in, water goes out. The car is fast, big and luxurious, and is completely environmentally friendly. BMW's involvement stretches beyond the car. The company is involved in infrastructure development and filling station technology is part of the project. Even if you run out of gas, a flick of a switch allows petrol—unleaded, of course—to be used instead. Luxury cars are not dead, it seems, merely resting.

'Buy one and get one free'

FORGET the sun roof and fluffy dice. Golf clubs are now the latest in-car accessories as motor manufacturers rely on ever more innovative marketing to boost sales.

Toyota has moved with the times and is giving a set of Wilson clubs, worth £650, and a golf bag to motorists buying one of its £11,999 Carina models.

The move is relatively low-key in a depressed new-car market now flush with price reductions, cheap financing, free fuel, even free cars.

The forecourt prices battle, backed by aggressive marketing of financial packages, was triggered in the summer. Nissan cut almost £4,000 off its top-of-the-range 300ZX. Ford followed with a three-month programme of reductions, and VW, Fiat and Vauxhall all produced schemes giving customers up to £1,500 back. At the beginning of this month, Ford and Rover both announced further money-saving deals, at a time when dealers and finance houses, too, are eager to outdo one another.

Struggling dealers are proving most innovative. "Buy one, get one free" might be a familiar marketing ploy for soap powder retailers, but Frosst, a Vauxhall dealer in Sussex, has been offering just that. The company is giving a free Nova Spin, worth £5,660, if you buy a £22,700 three-litre Senator.

For many buyers, though, hunting down a bargain only to be negligent when arranging finance can prove an expensive error. For instance, Ford customers, examining the latest reductions, will notice that the company has removed low-interest loans and free insurance on the reduced cars.

Finance rates are crucial as the cost of borrowing £5,000 over three years can easily vary by £1,500 and more. Kevin French, of Lombard North Central, one of the biggest providers of finance agreements via dealers, says: "There is really no cheaper alternative than low-finance deals being offered by dealers, either from the manufacturer or via the dealer from finance houses."

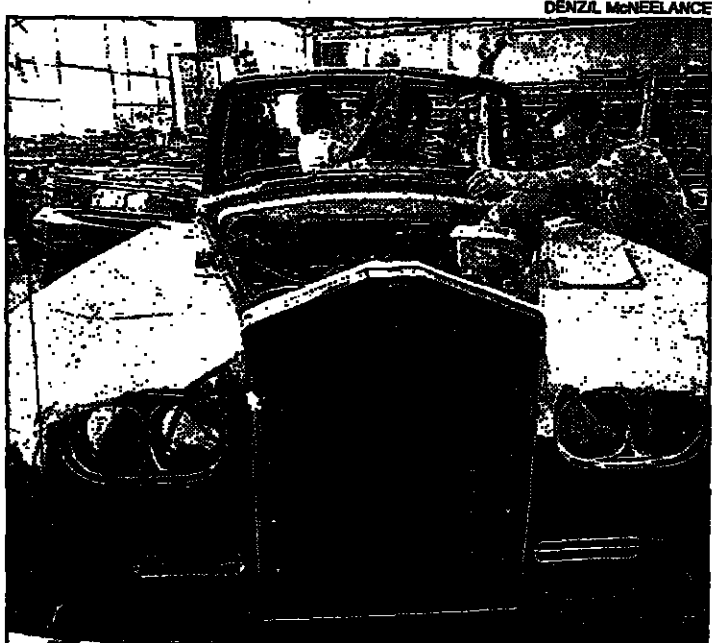
The myriad of deals now means that motorists should spend as much time arranging their finance as they do on deciding which vehicle to buy in the first place.

KEVIN EASON

VAUGHAN FREEMAN

Phantom finally leaves its haunt

The finishing touches are being put to an era of elegance at Rolls-Royce's Mulliner works



366 and out: the final Phantom 6 being built at Mulliner

The finishing touches are being carried out on a limousine that will mark the end of 50 years of history and the move to a new era for Rolls-Royce.

The last Phantom to come from the Mulliner Park Ward coach-building subsidiary is almost completed. With its hand-crafted bodywork and interior, it is another perfect example of the skills of the workforce. Rolls-Royce will honour the Mulliner skills by keeping the last of the line of more than 6,700 Phantoms built since 1925, many of which came from the works at Acton, west London.

The decision to cut back production at Mulliner is a sign that the world's most exclusive car maker has been suffering. Sales have been almost halved this year.

A new luxury tax in the United States, which added \$19,000 (more than £11,000) to the price of a Rolls-Royce, was followed by the Gulf war—which ended Middle East sales—and a recession at home. Declining sales at home are mirrored abroad, and total sales are expected to be about half of the 3,300 in 1990, forcing the loss of 900 jobs and short-time working at the main factory at Crewe, Cheshire.

The last act of the Mulliner workforce was to build a prototype Silver Spur II touring limousine, a £250,000 long-wheelbase model, which brings back the idea of

chauffeur-driven motoring, with a rear passenger cabin sumptuously furnished in leather and walnut, fitted with television and video recorder, a drinks cabinet with crystal glasses, and telephone.

Last month the car was unveiled at the Frankfurt Motor Show to the European market. Here Rolls-Royce expects to attract more customers, particularly in the east, where new entrepreneurs are delighted in the chance to purchase a Rolls-Royce.

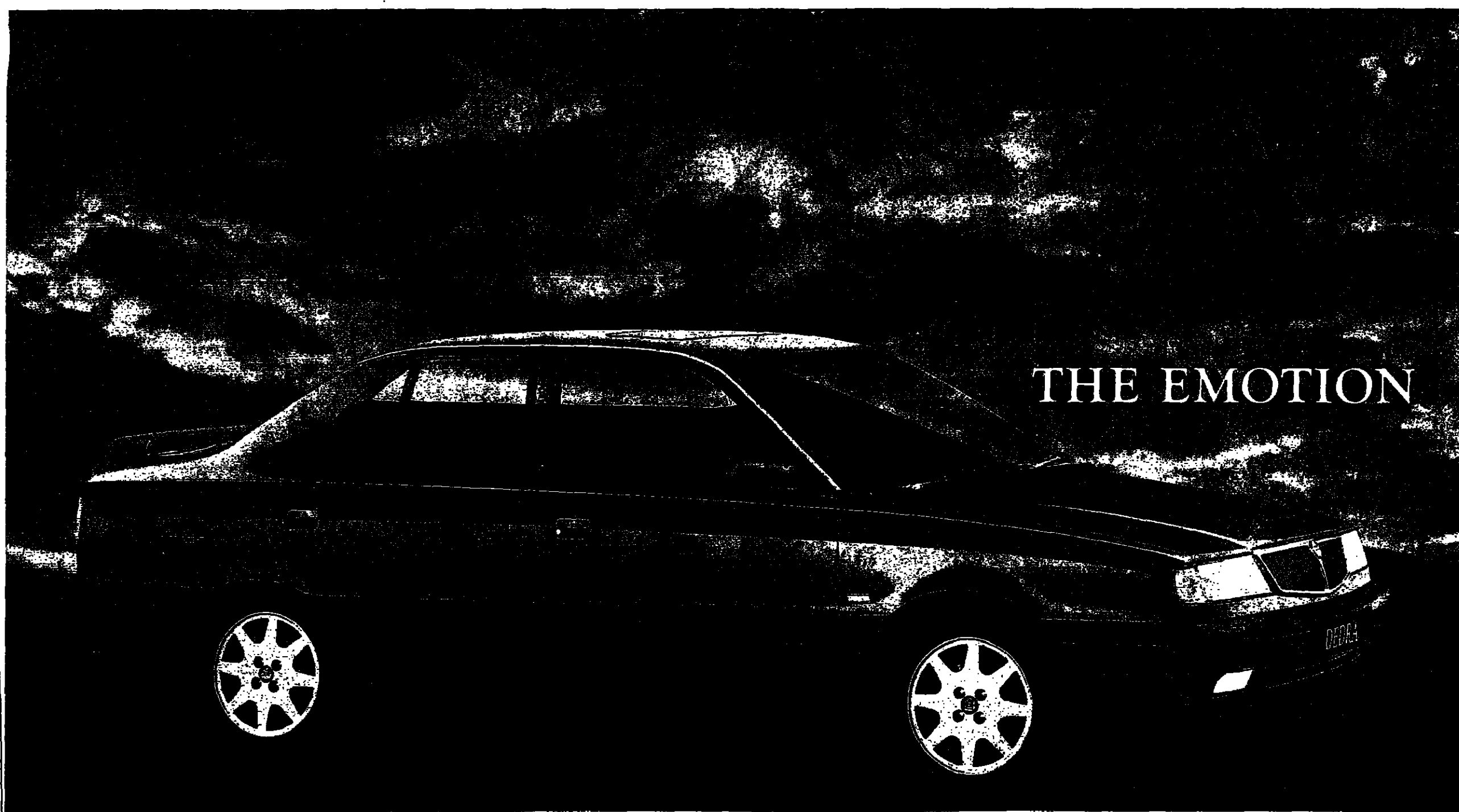
To adjust to the new demands of the market, the company is making a significant shift of emphasis away from its image as the

manufacturer of bulky, cumbersome saloons for ageing company chairmen. Some of that image will die with the Mulliner subsidiary, whose main business was in the remarkable limousines used by heads of state, including the Queen, who owns five.

Although there is a lot of nostalgia for the Phantom range, the degree to which the world's best-known limousine had become an anachronism was highlighted five years ago when Rolls-Royce needed special government permissions to carry on making Phantoms, because they could not be crash-tested. Rolls-Royce said: "At up to £350,000 a car, it was impossible to put a series of them through a crash test."

KEVIN EASON

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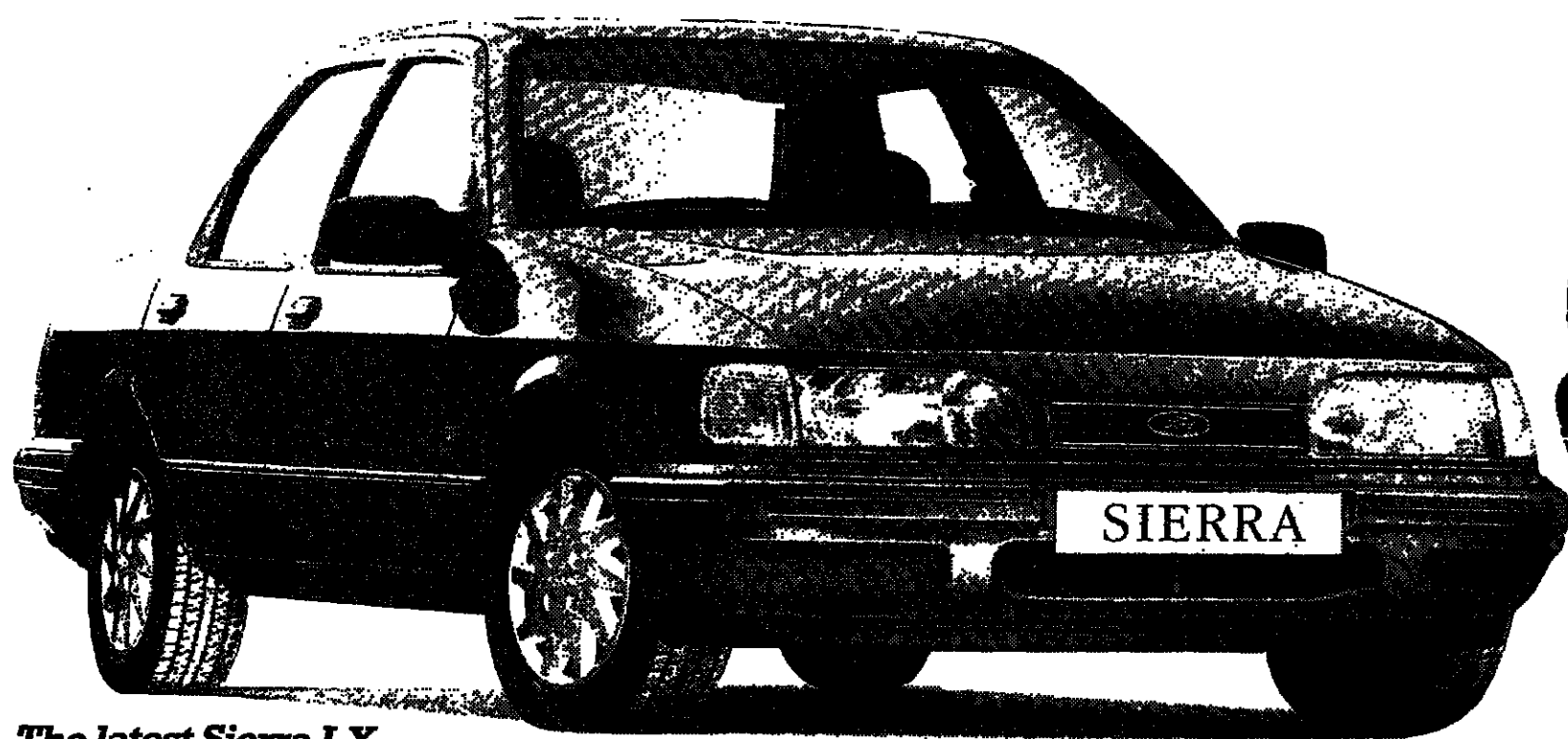


DE DRA . THE NEW LANCIA

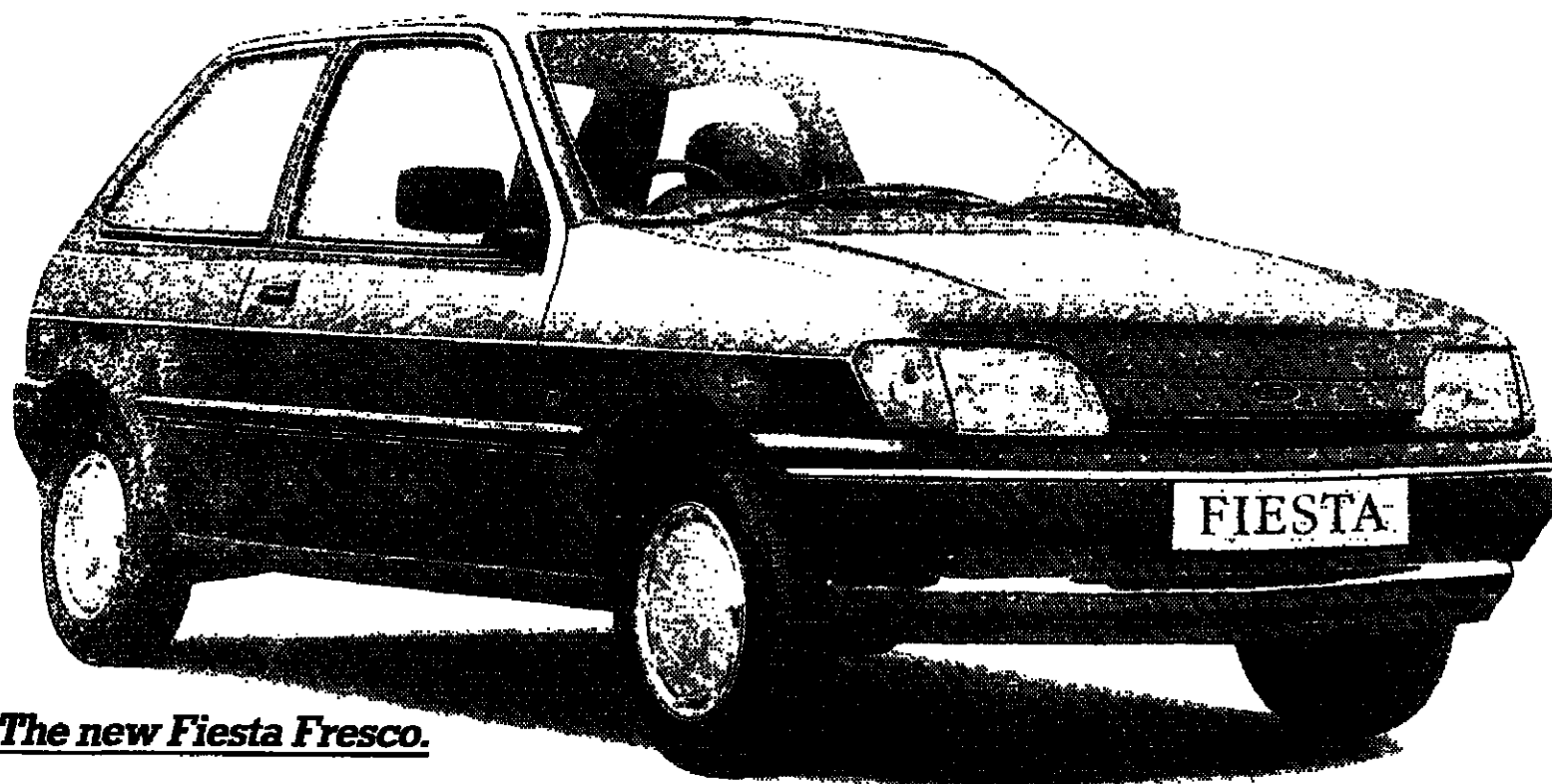


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Britain's Ford Dealers.

Some manufacturers are finding profit in the past, and reliable classic models are much in demand, as Vaughan Freeman discovered

Cars that make nostalgia better than it used to be

While space-age designs for the cars of the future capture the imagination, it is the cars of yesterday that hold the heart. Despite the technological advances in modern vehicles, many motorists still hanker after an age when cars made up in personality and individuality for what they lacked in computer chips and comfort.

Nostalgia is a developing market and genuine old designs are making a comeback, while some car design studios have produced "retro" studies that feature an old-style body around a modern interior. A common complaint against today's new cars is that although they are safe, reliable and economical, they can also be very dull. Manufacturers still producing firm favourites are finding their products increasingly popular with motorists disenchanted with more modern offerings.

One company benefiting from

'Most modern, cheapish cars look exactly the same, but this one turns the heads'

the nostalgia boom is Fullbore Motors, which is bringing back the Morris Oxford.

The Oxford was built at Cowley from 1957 to 1959. Production of the car then shifted to India, where the Calcutta-made Hindustan Ambassador versions of the vehicle still fill the streets and, because of their longevity, are most popular among taxi drivers.

Fullbore Motors intends to import up to 30 a month from India, and the first vehicles are due to arrive before Christmas. The car,

which is priced at £5,495 and is known as the HM Ambassador, has been brought slightly up to date, with such modernisations as rack and pinion steering and velour seats, and it comes with a 12-month warranty.

Mark Owen Lloyd, at Fullbore, explains the car's popularity: "We originally thought the car would sell in small numbers to people wanting something different, something a bit stylish."

"In fact, we have had calls from people simply wanting a cheap new car, from those who might otherwise buy a Lada, from people whose parents might have driven a Morris Oxford, and from people who already have a second car and want something for fun that is stylish and who would never look at a Lada."

"Most modern, cheapish cars look exactly the same and this one turns the heads. Lots of people would like to have a classic, older car, but do not want a car that is always breaking down. This is a classic car but it is brand new and will be fitted with a J registration."

Similar arguments convinced the Duncan Hamilton company, of Bagshot, Surrey, to bring back the Mini Moke. The car made famous by the *Prisoner* television series is being built in Portugal after the Italian Cagiva group bought the rights to it from Rover. It is now called The Moke.

The car, costing £6,128, has been updated to run on unleaded fuel, has a full roll-over cage, vastly improved all-weather canopies, and more comfortable seats.

"The attraction is that the car is fun, and it is different - your next-door neighbour is unlikely to have one sitting in his drive," Renny Burnside, the importer, says. "We thought that the buyers would all be young, but many are people who knew the 1960s Mini Moke and could not afford one or were too young to drive. Now they are grown up, the family has gone



Taxi from India: the Ambassador, a version of the Morris Oxford which will be imported from Calcutta, where it is used by cab drivers

away, and they have the money to spend on one."

Fun is the key to nostalgia buffs, epitomised by such cars as the Caterham Super Seven, which began life a third of a century ago as the Lotus Seven designed and built by Colin Chapman. Interest is so great that Caterham has added an engine with a catalytic converter to its range to cope with export demands.

The updated Seven now features a K Series Rover 1.4-litre 16-valve aluminium engine driving through a Sierra five-speed gearbox, giving a top speed of 112mph and go-kart handling. The 1.4 K version will be available in Britain from next year. Also available are the 1700cc Super Sprint and the potent 2-litre Super Seven HPC, capable of 126mph, which for just less than £19,000 gives more performance per penny than anything else on the road.

Even older and just as popular is the Morgan. With wheel arches flaring, mudguard-like, from the body, bonnet catches and a spare

wheel bolted to the rear, the Morgan 8 looks every inch a pre-war design. Yet its 120mph top speed and phenomenal acceleration are very modern, as is its £26,000 price. That has not stopped would-be owners queuing for years to buy one, however.

The Mini, too, has defied the

march of time. Rover executives often threatened the Mini's demise, but public demand has ensured its survival 31 years after Alec Issigonis's stunning front-wheel drive, transverse-mounted engine took the worlds of motor-ing and fashion by storm.

The latest development of the

Mini is a limited-run 16-valve, 190bhp version for export to Japan. Only recently, Rover officially sanctioned a convertible version, at £12,250, though the basic Mini City 1.0 will cost a more modest £5,395.

If the past does not suit your present demands, you can always redesign it - which is the Japanese route to bringing the past up to date. Naoki Sakai, the Nissan designer, came up with the Figaro, which looks much like the tiny cars beloved of the Italians in the late 1950s. In the land of high technology, the backward-looking Figaro has proved so popular that in Japan the 20,000 production run had to be sold by lottery.

The Figaro is basically a Nissan Micra, so it is reliable enough, with air-conditioning and automatic gearbox, but it is loaded with chrome, a primitive canvas hood and loads of style. The car offers what so many motorists are seeking: modern, reliable motoring, with idiosyncratic styling in an age of conformism.

All our yesterdays: the Morris Oxford, now popular with another generation



Escaping the past: the 1960s Moke is updated for the 1990s

Come in, the budget buys

The Motorfair will unveil some new, low-price cars, from unexpected sources

A Kia from Korea might sound like a fizzy drink, but it is just one of the unfamiliar marques now threatening established car manufacturers, *Vaughan Freeman* writes.

Most significantly, especially for British manufacturers, is that behind names such as Kia, Sao and Proton, lies proven Japanese technology.

Already motorists are showing a keen interest in the newcomers, as they seek alternatives to expensive new cars or suspect second-hand bargains. Manufacturers trying to provide reliable motoring at cheap prices have always been faced by production costs and ever-higher levels of specification and technology forcing prices up.

The answer for many lies with "new" cars such as the Kia, which are, in effect, new versions of proven, not-so-old models. Discriminating motorists are weighing low prices against refinement. Sales of cheap new cars offering a new registration letter without the latest technological developments are suffering as motorists seek more for even less.

Since Proton burst on to the British scene two years ago, sales of the Malaysian-built car have reached 28,000. Although starting from a low base, Proton still managed to increase sales in August by 84 per cent, to 3,095 compared with 1,982 in August 1990, at a time when almost every other manufacturer's sales slipped alarmingly.

The Proton is Mitsubishi-based and, as well as offering low prices that are the envy of its rivals, it has Japanese technology that gives customers an array of engineering, paint and corrosion warranties to encourage confidence in the product and lure drivers away from nearby new dealers.

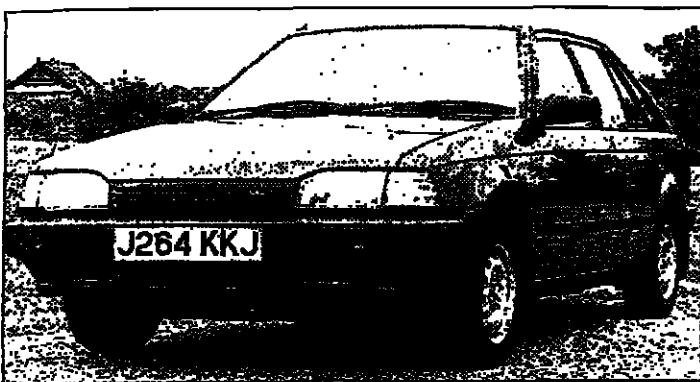
Having driven the 1.5-litre SE Aerodeck, five-door Proton, I can vouch for its multi-valve engine technology. Performance is adequate, at 0 to 60mph in 12.4sec and a top speed of 103mph, though accommodation is cramped. However, as Proton prices start at £6,590, value for money is a hard argument to beat.

The Kia Pride fits the "super-mini" class, and is based on the Mazda 121. Although styling details may seem slightly old-fashioned, other points are more encouraging.

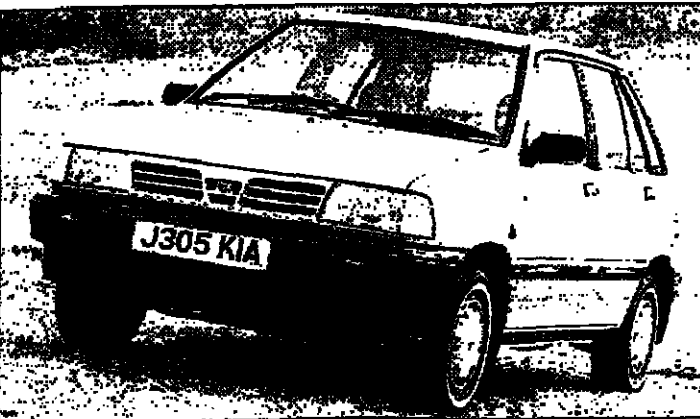
The Kia finish quality is good and attention has clearly been paid to paintwork and interior fittings.



Proton promotion: Lord Judd (right) takes delivery of one of the Malaysian-built cars for Oxfam



South African saloon: the Sao Penza 1.3 costs from £7,549



Mazda mould: the Kia Pride LX is based on Japanese design

It is ideal as in-town transport. Again, budget motoring is the theme and the cheapest Kia, the 1.1L three-door, is on the forecourts at £5,799. The top-of-the-range 1.3LX five-speed, five-door is only £1,000 more. The Kia is wider and longer than a Metro, and many hundreds of pounds cheaper. The 1.3LX will return

38mpg in town, it has a top speed of 90mph and it does 0 to 60mph in 11.6sec.

The Sao is also trying to break into this increasingly competitive sector. It will come as no surprise to find that the Sao Penza, too, is Japanese-based, this time on the Mazda 323.

The Penza is assembled by the

South Africa Motor Corporation from kits of the old model 323 saloon, which are supplied by Mazda. The Sao is being distributed by MCL Ltd, which also sells the Kia, and provides roomier, saloon budget motoring to complement the mini-sized Kia.

The Sao dodges possible controversy over its South African background with an advertising campaign promoting its Japanese technology. The two versions of the car share the 1.3-litre 64bhp engine, with five-speed gearbox. The Sao is priced at £7,549 for the five-door hatch, and £7,695 for the four-door saloon, and moves into the slightly larger saloon market at keen prices.

This is a sector that many drivers are favouring. Peter Brill, a spokesman for Kia and Sao, says: "The Kia has attracted attention from retired people, professional families using it as a run-around second car, young drivers looking for a reliable first car, and nurses." Driving schools, too, are opting for the Kia, and that is good news for the car's future sales, because inexperienced motorists, having passed their test, will often buy the car in which they learnt.

Kia, which was introduced in Britain at the end of June, sold 799 cars in August, and MCL is already expecting to sell more than the 2,500 it had originally hoped for by the end of the year.

Although the combined sales of Proton, Kia and Sao are at present numbered in the tens of thousands, it is not so long since sales of other recent newcomers, such as Datsun and Nissan, were similarly modest.

No joy in paying up to meet the cost of crime

Nobody could have missed the news headlines during the summer, when misnamed "joy-riders" were causing havoc as they turned the city centres of Oxford, Cardiff, and Newcastle upon Tyne into drag strips and racing circuits, sometimes prompting riots.

Those disturbances should be set against a background in which crime involving cars is increasing so rapidly that Kenneth Baker, the home secretary, was moved to describe it as "alarming and unacceptable". Thefts of and from cars account for a third of crimes in Britain and cost the insurance industry an estimated £500 million a year, according to the latest Home Office figures.

The ordinary motorist will have to pay for all this. Some face premium increases of 80 per cent.

Insurers believe that more glamorous cars - fuel-injected models, those with GTI marques, and the "hot hatches" - are particularly susceptible to damage or to being stolen by joy-riders, and so are insisting that high-risk drivers pay more for cover. From the start of this month, many drivers found they had to pay considerably higher premiums.

Peter Woolerton, the assistant general manager at Norwich Union, Britain's largest motor insurer, says: "Certain sports saloons, hot hatches and other high-performance cars have particularly bad claims records."

"Our statistics show they are prime targets for car thieves and from now on their owners will have to pay their fair share." Norwich Union says that for most policyholders that will now include paying the first £100 of any theft claim, unless the car was locked in a garage.

Norwich Union rates hot hatches as two-and-a-half times more likely to be stolen than standard cars, and claims that Ford's Sierra Sapphire RS Cosworth is five-and-a-half times more vulnerable. Other prime targets for thieves and joy-riders include the Ford Escort RS Turbo, Rover's MG Montego Turbo and Volkswagen's Golf GTI.

Norwich policyholders will have to pay a minimum increase of 20 per cent from this month, but motorists with a high-risk car in a high-risk area, mainly the big cities, must pay an increase of up to four times more for coverage to take to the road.

Comprehensive cover, with full no-claims discount, for a 30-year-old Gloucester owner of a new Ford Escort LX 1.4 will be £366, up from £302, while a 30-year-old Luton driver with a Peugeot 205

Security is becoming more important as the motorist gets bigger insurance bills

GTI 1.9 will have to find £955, up 74 per cent from £549. The Norwich, however, is not alone.

Eagle Star raised premiums by 9.1 per cent on October 1, after an 8.5 per cent increase only three months previously. Royal Insurance's rates rose by 9 per cent in April and another 10 per cent in September. General Accident has pushed up premiums by 25 per cent during the past year.

At the same time, there are some insurance bargains. Now that the cost of insuring a car is no longer an "incidental", the offer of free insurance is becoming one of the more sought-after incentives when the new car-buyer ventures on to the forecourt.

However, even if you are getting free insurance with your new car for a year, be prepared for a painful financial shock when renewal falls due.

Some companies have been offering a full 60 per cent no-claims bonus after one year as part of the deal, but Jim Atkinson, the Automobile Association's insurance director, says the benefit of this has been whittled away by the increase in premiums.

The AA is out to win some of this business and is offering to match the 60 per cent no-claims bonus, or to reinstate the motorist's previous bonus, whichever is the higher.

Other steps are being taken to lighten the load of the insurance premium. Car makers say that safety and security are moving up the list of a driver's priorities. They claim to have spent millions of pounds investing in security

devices, such as deadlocks, which prevent thieves from opening a door on the inside after smashing a window.

However, criticism of the manufacturers comes from the British Vehicle Rental and Leasing Association (BVRLA). The BVRLA represents large fleet operators, which buy more than one in four of new cars in Britain. In 1987 it started an annual Anti-Theft Award, but since then it has been presented only three times: to Vauxhall (twice) and BMW. In 1989, no manufacturer was judged to have made enough effort to win an award. "Contributing to a depressing situation," according to the judges' chairman.

Roger Macey, the BVRLA chairman, says: "The theft of cars has become a blight on our society."

"Manufacturers must rethink their priorities for product design and begin to regard theft prevention measures as being of comparable importance to in-car entertainment and other superficial, cosmetic accessories."

When Mr Baker recently met the Association of British Insurers (ABI), he discussed a range of proposals, including lower premiums for cars with security systems fitted, and better insurance ratings for new cars with devices installed by the manufacturers.

The ABI's enlarged car group rating system, introduced in October, takes into account a model's security features for the first time. Mr Baker welcomed this as progress and it is clear that from now on insurance companies will use their computers to relate risks with premiums far more accurately. That must force manufacturers to do more about security. After all, it is the GTI-type models in any range that produce big profits.

DAVID YOUNG



Smashing time: joy-riders are just part of a costly crime wave

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A question of evidence

Sir Frederick Lawton believes judges should rule on the need for corroboration

A man is suspected of murdering his wife. Her bruised body has been found at the bottom of the stairs. When arrested, the suspect says nothing, but at the police station, before being charged, he gives a solicitor his version of events. The solicitor advises him he is guilty of manslaughter and that he should tell his story to the police. He does this, on tape, in the presence of his solicitor.

If at his trial, his counsel could submit that there was no case to answer because of the absence of corroboration, it would be an affront to justice. The husband could, of course, go into the witness box to explain why he made a false confession, if he had done so.

These rules on the evidence of complainants and accomplices were made by judges. At the Bar's recent annual conference, Kenneth Baker, the home secretary, and Anthony Scrivener, QC, the chairman of the Bar, seemed to assume that the danger of a defendant being convicted on an uncorroborated confession should be dealt with by legislation.

One can argue against this, using legal history and recent precedent. Judges could, for example, rule that from now on, as a matter of practice, juries should be warned of the danger of convicting on a confession that was either not corroborated or at least strengthened by supporting evidence. Several recent cases have made clear that there is a need for some such direction to juries.

In the past, Parliament has intervened to ensure that there can be no conviction without corroboration — for example, in cases of treason, perjury and speeding. In other cases, judges have recognised that the evidence of certain categories of witness may be unreliable and that juries



In question: Winston Silcott, left, whose conviction for murdering PC Keith Blakelock has been referred to the Court of Appeal. Defence lawyers say he was convicted on uncorroborated evidence. Right: Silcott's father campaigns

should be warned of the danger of convicting on such evidence in the absence of corroboration.

Judges have never gone so far as to say — although Parliament has sometimes enacted — that there shall be no conviction in the absence of corroboration. Both the rape victim and the accomplice may be telling the truth, and so may the accused who confesses to the police.

Judges realised that juries needed help in assessing evidence and they considered it was their function to give it. There is now a need to help juries in assessing uncorroborated confessions. Why should not judges give it?

There is, however, an obstacle. In 1987, the House of Lords held that the categories of witnesses whose evidence required a "dangerous to convict" warning was not to be extended by judicial decision.

This was a surprising judgment because in the case of Turnbull (1977) the Court of Appeal held that juries should be warned of the danger of

convicting on the unsupported evidence of witnesses on identification. The court distinguished between evidence supporting identification and corroboration of such evidence.

Corroboration in English law has a more technical meaning than it has in Scottish law. The judgment was well received and halted political pressure for parliamentary intervention. A distinction can be drawn between directions to juries about any evidence that may be unreliable.

Ever since 1960 (Pratt's case), judges have had a duty to warn juries that allegations made in a trial by one accused against another should be assessed with caution. The House of Lords decision does not seem to cover this situation nor, I believe, does it affect any warning to juries about uncorroborated confessions.

If an English judge warned a jury about the dangers of



convicting on a confession without supporting evidence, it is unlikely that the House of Lords would allow an appeal either by the accused or the prosecution.

Mr Scrivener made a second proposal: that an accused be given the right to have fresh evidence, which emerges after a conviction, considered by a jury. Here he overlooked the practical problems. The present law, contained in the Criminal Appeal Act 1968, restricts ordering a new trial to those cases where the fresh evidence is likely to be credible and would have been admissible in the original trial on an issue that is the subject of appeal.

The court must also be satisfied that there is a reasonable explanation for the failure to adduce it.

Then there is the legal issue of relevance. Many applications for a new trial on the grounds of fresh evidence are based on a witness saying that some detail in the evidence of a prosecution witness was inaccurate — for example, that

the arresting officer had lied when he said he had found the accused hiding behind a stone wall when it was a brick one.

The courts would be flooded with new trials unless there was some way of sifting out those that had merit from those that had none.

At present, the Court of Appeal does the sifting and whenever it refuses to order a new trial it has to give reasons. The Court of Appeal in the Guildford case was much criticised years later for ordering a new trial when the IRA terrorists, arrested after the Balcombe Street siege and convicted later, said that some of them had been involved in the Guildford and Woolwich bombings. The court decided their evidence was not likely to be credible and set out their reasons in much detail.

It cannot be in the public interest that there should be retrials on the basis of evidence where there is good reason for thinking it is untrue.

● The author is a former Lord Justice of Appeal

When morals are your own business

THERE is, as the historian Macaulay observed, "no spectacle so ridiculous as the British public in one of its periodical fits of morality". The destruction of the career of Sir Allan Green, QC, the Director of Public Prosecutions, is the latest tragedy to be inflicted on private lives by the public morality imposed by our law.

The Sexual Offences Act 1956 (Section 32) makes it a criminal offence "for a man persistently to solicit or importune in a public place for immoral purposes". In 1966, the Divisional Court held that the section did not cover the case of a man who, from his car, solicited a prostitute for sexual intercourse. The court concluded that Parliament had not intended "immoral purposes" to cover sexual intercourse between a man and a woman prostitute.

In 1985, the Sexual Offences Act created a new criminal offence of "kerb-crawling". It is a crime for a man to solicit a woman, or different women, for the purpose of prostitution in a street or public place, either from a motor vehicle or "while in the immediate vicinity of a motor vehicle that he has just got out of or off".

The offence is committed only if he solicits "persistently" or "in such a manner or in such circumstances as to be likely to cause annoyance to the woman (or any of the women) solicited, or nuisance to other persons in the neighbourhood". The offence is punishable by a fine of up to £400. The Divisional Court has twice considered the ingredients of this offence. In 1989, Lord Justice Woolf explained that it was unnecessary for the prosecution to call any evidence to show that the soliciting caused any actual nuisance or annoyance. It sufficed that such disruption was "likely", given the nature of the locality. In 1990, Lord Justice Watkins held that "persistently" required the prosecution to show that there were at least two acts of soliciting of prostitutes by the defendant.

Furthermore, the fact that the defendant has been driving around a red-light district does not amount to a crime. The prosecution must show that the man "had given some positive indication by physical act or words to a prostitute that he requires her services".

Lord Justice Watkins concluded that the magistrates were entitled to find that one act of soliciting had been committed by the defendant beckoning to the prostitute, and to reject counsel's "unreal submission" that perhaps he was "calling an unknown, unidentified woman towards him for the purpose of asking her the way". Parliament was rightly concerned in 1985 to provide

protection for those whose neighbourhoods had been blighted by prostitution. However, this does not explain the creation of a criminal offence that extends to conduct that is not likely to cause any annoyance in the neighbourhood, but which involves "persistently" (that is more than once) soliciting a prostitute as a prelude to a consenting transaction. Such a criminal offence is based on morality, not on nuisance.

Where those solicited are willing prostitutes, and no real nuisance is caused to the inhabitants of the area, the law should mind its own business. For the law to enforce morals carries a prohibitive cost in human misery and police time.

Parliament should consider reform of the legal provisions that prevent prostitutes providing their services in ways that avoid a public nuisance. An earlier Director of Public Prosecutions persuaded the House of Lords in 1961 that it was a criminal conspiracy to corrupt public morals for a defendant to issue a "Ladies Directory" describing the services offered by prostitutes. Section 33 of the Sexual Offences Act 1956 prohibits the keeping of a brothel, even if there is no nuisance caused.

Logically, the law provides that premises amount to a brothel only if they are used by more than one woman. A case from 1882 illustrates the absurdity of the law plying its nose into private behaviour. The police saw two prostitutes enter a public house with two men and watched, by shadows on the blinds, the four of them undress. When the police knocked on the door, and were eventually admitted, they found the two men in one double bed and the two prostitutes in another double bed tucked up with the landlord's wife.

A legal system seriously concerned to remove the nuisance caused by public solicitation, and to promote public health, would encourage prostitutes to trade in private under the control of a licensing authority. English law needs to reconsider its attitude to prostitution, defined by Mr Justice Darling in 1918 as "a woman offering her body commonly for lewdness for payment in return".

We are entitled to our opinion of whether the conduct of Sir Allan Green in King's Cross degraded his office and demanded his resignation.

We should, perhaps, also pause to consider whether criminal laws that adopt a puritan interest in private lives demean and damage society.

● The author is a practising barrister and a fellow of All Souls College, Oxford



COUNSEL

DAVID PANNICK

The value of a second witness

The Law Commission recently recommended that the present corroboration rules in English criminal trials should be abolished without replacement. However, on the subject of confessions, with which the Law Commission was not concerned, Anthony Scrivener, the chairman of the Bar, has compared English law unfavourably with Scottish law, in which no accused can be convicted on uncorroborated confession evidence.

The Scottish and English approaches to corroboration are very different. In both, "corroboration" means the confirmation or support of a piece of evidence by a second piece from a source independent of the first.

In England, the general rule is that any charge may be proved by the evidence of a single witness. If a witness is an accomplice of the accused or the complainant in a trial for a sexual offence, however, the law assumes that he or she has a motive to lie and the judge must warn the jury that it is dangerous to convict on his or her uncorroborated evidence, even if a warning may be inappropriate in the circumstances.

In Scotland, the general rule

Scotland demands the corroboration of evidence in crime trials, but could this apply to the English system?

is that the unsupported evidence of a single witness is not enough. Any essential fact that has to be established before the jury can convict must be proved by evidence from more than one source. No kind of witness is automatically regarded as suspect, and there are no peremptory corroboration "warnings" to the jury. The Scottish rule is rooted in an awareness of the risk of error due to human fallibility. That risk is twofold. Any witness, however irrefragable, may give unreliable evidence, and a jury may err by accepting a witness's unsupported evidence.

The assessment of a witness's credibility is not a simple matter. The Scottish requirement allows the defence and the jury to test and compare one witness's evidence with another's on a material fact, giving a safeguard against the acceptance

of unreliable evidence. Although this requirement offers no guarantee against miscarriages of justice, it provides a minimum requirement of evidence from two independent sources before guilt can be established beyond reasonable doubt. The corroboration requirement was abolished in Scottish civil cases in 1988. Since then, justice has continued to be done and the heavens have not fallen. However, nobody has suggested dispensing with the requirement in criminal trials, which are concerned with different and graver issues.

If critics say the requirement could lead to the acquittal of the guilty, the answer is that it also reduces the risk of convicting the innocent, which is the greater miscarriage of justice. The only frequently heard criticism of the requirement is



Scrivener: better

including a private prosecution of the local health authority for operating an unlicensed clinical waste incinerator. The Law Centres Federation, which organised the conference, has been granted government funds for three years for an environmental development officer, who will initially be seconded from a law centre.

Pupil power

THE recent foundation meeting at the London School of Economics of the Education Law Advisers Service (ELAS) was attended by more than 60 lawyers experienced or interested in education law, which is almost as hotly tipped as environmental law as an area of growth. A founder member, Jack Rabinowitz, of Teacher Stern Selby, the London firm, says ELAS wants to foster expertise and set up a library and information service.

SCRIVENOR

A child's eye view

THE Gillick case revolutionised the attitude of the courts to the giving of medical treatment to children, and both the Children Act, which came into force yesterday, and the code of practice under the Mental Health Act have incorporated into statute the Gillick principles, which rule that medical authorities should take account of a child's view. However, a recent Court of Appeal decision in the case of *re R*, in which a 15-year-old girl was ordered to have treatment with anti-psychotic drugs against her will, has cast doubt on whether the Gillick principles still stand. Elizabeth Lawson, QC, was therefore asked by the Children's Legal Centre to provide an opinion on the present state of the law. Ms Lawson concludes that the decision in *re R* should not

be construed as undermining the Gillick principles and that doctors should not see the case as an open sesame to delivering medical treatment without assessing the competence of a child to refuse or consent to it. In difficult cases, where treatment seems urgent and the child refuses, she points out that doctors may be able to use their powers under the Mental Health Act or even apply to the court for guidance. The extent to which the court will be able to overrule a child's refusal to consent to medical treatment will be one area of the new act that will require clarification.

Lap of the law

THE quill pen image of judges laboriously taking long-hand notes of evidence and legal submissions has had its day if the lead of Lord Justice

Leggatt is followed by his brother judges. He has just introduced his own brand of high technology to the Court of Appeal. While other judges are still taking notes in the traditional way by hand, Lord Justice Leggatt is now using a laptop computer to make his notes in court.

Centres clean up

IT IS not just City firms that are developing an expertise in environmental law. The growing involvement of law centres was underlined by a recent conference in Manchester, which explored the ways in which law centres can use environmental law to improve the living conditions of the deprived community in which they generally work. Gateshead Law Centre, in Tyne and Wear, has already undertaken a number of cases,

including a private prosecution of the local health authority for operating an unlicensed clinical waste incinerator. The Law Centres Federation, which organised the conference, has been granted government funds for three years for an environmental development officer, who will initially be seconded from a law centre.

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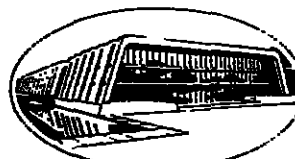
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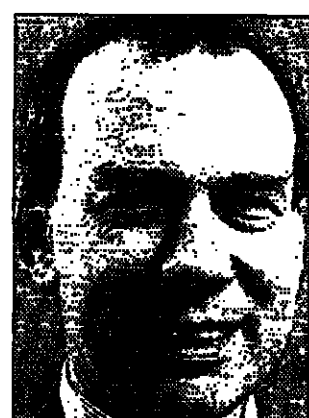
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Moscow meeting: Mikhail Gorbachev, left; Jacques Delors; Robert Starr, of Cole Corette & Abrutyn; and Jeremy Carver, of Clifford Chance

Now for legal revolution

Western business investment in the much changed Soviet Union is being underpinned by the most fundamental review of Soviet law since the 1917 revolution. Month by month, the legal building blocks for a market economy are being cemented into place.

Already passed are laws on foreign currency and investments, consumer protection, banking and the privatisation of enterprise. To come are laws on bankruptcy, securities, stock exchanges, and pledges, the last enabling state assets to be used as the collateral for overseas loans.

The reforms open the prospect of closer cooperation between Western and Soviet lawyers. The difficulties of achieving this will be an important item at next week's international forum in Moscow on Soviet and European law.

Sponsored by the Union of Jurists of the USSR and University College London's Centre for the Study of Socialist Legal Systems, the conference — one of the biggest meetings of international legal professionals held on Russian soil — will assist the drafting of legislation by helping legal experts in the Soviet Union to understand

Changes in the old Soviet Union require new laws and practices. Michel Syrett reports on a conference to meet the need

how Western lawyers work. Speakers will include President Gorbachev, Jacques Delors, the President of the Commission of the European Community, and George Soros, the founder of the Open Society Fund. Lawyers from Europe and Soviet republics will lead the sessions.

The gap between concepts of law in the two trading blocs will be uppermost in delegates' minds. Professor Bill Butler, the director of the Centre for the Study of Socialist Legal Systems, and one of the organisers, explains: "At the same time that the Soviet legal system is moving away from punishing the sort of speculation and commercial transactions that we take for granted in the West, Soviet lawyers are having to confront the implications of stock exchange contracts, flotations and the sophisticated illegalities these bring in their wake."

Professor Butler predicts that a wave of Western law firms will set up in Russia and the other Soviet

republics. "Privatisation," he says, "will be a Klondike-like opportunity for American and European practices." They would hire Soviet lawyers and develop a generation of Western lawyers expert in the Soviet legal system.

Early attempts to recruit local legal expertise have proved a struggle. Pioneers such as the American firm Cole Corette & Abrutyn, find that lawyers trained under the old system have trouble adjusting to Western methods.

Robert Starr, the partner in charge of Cole Corette's USSR and Central European Practice Group, says: "Soviet lawyers' way of thinking has developed differently. Our common law training leads us to be very critical in the way we analyse issues, something they are not used to."

Moves to create a pan-European legal profession, embracing the new framework of Soviet law, are therefore one of the tantalising

issues for the forum. Already, however, Jeremy Carver, of the British firm Clifford Chance, envisages postgraduate courses for young lawyers from Soviet and Western systems of law to study in each other's countries. "The opportunities for Western lawyers to help provide solutions to the problems in the former Soviet Union are immense," he says.

"Laws must, however, reflect the environment in which they take effect and we cannot make the same assumptions about the social-economic pressures likely to confront the post-Soviet system as we can about our countries."

Perhaps the most important signal that will come from the forum is the Soviet legal profession's new faith in itself and its ability to help to transform its country. Soviet lawyers were the first to point to the illegality of the failed coup in August. Professor August Rubinov, a senior Soviet jurist, says: "Western commentators talk about the power of market forces and democracy when describing the events of August 19 to 21. We talk about the restoration of the rule of law."

The international forum will be held in Moscow, October 21-24. Further details from the Committee for the Study of Socialist Legal Systems International (071-386 9322)

Lloyd's insurers and their Names are facing a watershed

A case to test London lawyers

Expect fireworks on Friday, when some of the country's leading insurance lawyers meet the Honourable Judge Ira Brown, of the San Francisco Superior Court, at the Asbestos Risks Seminar, organised by Lloyd's of London Press.

Judge Brown is distinguished for having presided over the multi-party, six-stage asbestos insurance coverage cases in the 1980s, which form the background to the present Outhwaite case. Judge Brown had to decide who had to pay for what. In many cases, the insurance companies did not like his conclusions — a lesson which might not be lost on the thousands of people seeking damages from the Outhwaite agency.

As James Hendrick, of Thelan, Marrin, Johnson and Bridges, a San Francisco lawyer, who is visiting London this week for the seminar, comments, "Some of the worst law for the insurer comes from cases between insurers."

Although the Outhwaite case still has a long way to go, it could be a watershed in the history of Lloyd's. Fundamental legal issues are at stake about the relationship between Lloyd's underwriters and their Names. Neither side will view the other in quite the same way again.

The case that Anthony Rosewood, QC, on behalf of the Names is bringing against Outhwaite alleges negligence in re-insuring American asbestos risks. Around the time Outhwaite was taking on the business, it is alleged



Lloyd's: questions for lawyers

that cases were going through the courts in the United States.

The question facing the court, therefore, is whether or not Outhwaite did enough research. The longer-term question for legal advisers is whether or not they should be more active in advising their insurance clients about such developments in order to steer them away from similar risks.

Eileen Carroll, the chairman of Friday's seminar and a partner with Turner Kenneth Brown, is wary of the dangers for lawyers. "If an insurance client asks the right questions about a risk, then of course you must give them the correct advice," she says, while expressing concern that advice volunteered by lawyers may force them to face consequences.

Mr Hendrick, with his American perspective, takes a different view. As part of his service, he would send out information to long-established clients in order to keep them out of difficulties.

The question now is whether London law firms will capitalise on insurers' anxieties and offer their clients more information and

advice of a "preventive" nature. Lloyd's will insure things nobody else will accept. This entrepreneurial ethos of being willing, within reason, to take risks makes Lloyd's attractive to clients. For lawyers to keep on recommending that their insurance clients should write in lots of exclusion clauses would be counterproductive. The ruling-out of all risks would emasculate insurance of its appeal.

None the less, insurance lawyers need to be well-informed about developments elsewhere — particularly in the United States — and this is undoubtedly a factor in the growing formal links and associations between London and American lawyers. The need for good research is greater than ever.

There is a further implication to the Outhwaite affair. Another case Outhwaite is involved in relates to the failure to accept the terms of the Wellington Agreement, the result of arbitration which was worked out in the mid 1980s to allocate liability between

'The worst law for insurers is cases between insurers'

asbestos manufacturers. If the Wellington Agreement does not work, the case for arbitration as a whole could be damaged now that alternative dispute resolution is becoming more popular.

Lloyd's claims to be the world's most sophisticated insurance market. The question now is, to what extent will London lawyers get involved in the risk business.

EDWARD FENNELL

For more information on the seminar, contact the conference department at Lloyd's of London Press (071-250 1500)

Last week's article on race relations in the Bar was by Edward Odum

Human Rights Law Report

Breach of privilege proceedings offended requirement of impartiality

Demicoli v Malta (Case No 33/1990/224/288) Before: R. Ryssdal, President and Judges J. Cremona, Thor Vilhjalmsson, J. Pinheiro Faria, Sir Vincent Evans, R. Bernhardt, A. Spielmann, N. Vajiac and I. Fiolhais. Registrar: M. A. Eissen. [Judgment August 27] Breach of privilege proceedings in the House of Representatives concerning the alleged defamation of two Maltese MPs did not comply with the requirement of impartiality, as guaranteed by article 6 of the European Convention on Human Rights, the European Court of Human Rights held.

The offence with which Mr C. Demicoli was charged was deemed criminal for the purpose of article 6. The notion of criminal charge possessed an autonomous meaning under the Convention: whether an offence was classified as criminal law, disciplinary law or both concurrently in national law provided an indication, but was not decisive, as the nature of the offence itself as well as the degree of severity of penalty the person risked incurring also had to be borne in mind.

Mr Demicoli was the editor of a Maltese political satirical periodical the title of which translated as "Not in the people's interests". On January 13, 1986 two members of the House of Representatives brought to the attention of the House as an alleged breach of privilege an article that had recently appeared in the periodical, commenting on a particular parliamentary debate which had been broadcast live on television and including what they considered to be offensive ref-

erences to them. On February 10 the House passed a resolution to the effect that it deemed the article to be a breach of privilege according to section 11(1)(k) of the House of Representatives (Privileges and Powers) Ordinance (1942-1983), relating to the publication of any defamatory libel on a member of the House.

That section stipulated: "(1) The House shall have the power to punish with a reprimand or with imprisonment for a period not exceeding sixty days or with a fine not exceeding five hundred liri or with both such fine and such imprisonment, any person, whether a member of the House or not, guilty of any of the following acts: ... (k) the publication of any defamatory libel on the Speaker or any member touching anything done or said by him as Speaker or as a member in the House or in a committee thereof."

A further resolution of March 4 recalled the previous one and summoned the applicant before the House to state why he should not be declared guilty of a breach of privilege. After he had so appeared, at a sitting at which the two members concerned made statements, even found guilty by a resolution of March 19, the House postponing the question of punishment.

In the meantime, the applicant had challenged in the Civil Court of Malta the proceedings instituted against him by the House, on the ground that those proceedings, which were penal in nature, violated his right under section 40 of the Maltese Constitutional Court to be given a fair hearing by an independent and impartial court.

He obtained judgment in his favour on May 16, 1986 but the court found that the proceedings were not criminal in nature. On October 13, 1986 the Constitutional Court, on appeal by both parties, disagreed with the conclusions of the Civil Court. It found that the lower court had not been entitled to look further into the matter or to afford the remedies indicated in its judgment.

Having attempted unsuccessfully to secure a friendly settlement, the European Commission of Human Rights drew up a report on March 15, 1990 establishing the facts of the case and expressing the opinion unanimously that there had been a breach of article 6(1) and that no separate issue arose under article 6(2).

The Commission referred the case to the Court on May 21, 1990.

In its judgment, the European Court of Human Rights held: I Preliminary objection. The Court rejected the government's preliminary objection that the applicant had not lodged his application within the period laid down by article 26 of the Convention, namely six months from the date on which the final decision had been taken. It considered that the proceedings against the applicant culminated in the decision of December 9, 1986 as to his sentence, that being the date on which his position was finally determined and accordingly the date of the final decision for the purposes of article 26.

II Alleged violation of article 6(1). The applicant submitted that the charge of breach of privilege,

of which he was found guilty by the House of Representatives, was a criminal charge falling within the ambit of article 6 of the Convention.

A Applicability of article 6(1). The government submitted that in Maltese law the breach of privilege proceedings taken against the applicant for defamatory libel were not criminal but disciplinary in character.

That view, contested by the applicant, was not supported by the Commission. It considered that the proceedings in question involved the determination of a criminal charge and that article 6(1) was therefore applicable.

The Court had already had to determine similar issues in other cases. While it was recognised that states had the right to distinguish between criminal offences and disciplinary offences in domestic law, it did not follow that the classification thus made was decisive from the viewpoint of the Convention.

The notion of criminal charge in article 6 had an autonomous meaning and the court had to satisfy itself that the law drawn in domestic law did not prejudice the object and purpose of article 6. In order to determine whether the breach of privilege of which Mr Demicoli was found guilty was to be regarded as criminal within the meaning of article 6, the Court applied the three criteria which were first laid down in the *Engel and Others* judgment of June 8, 1976 (Series A No 22, pp34-35, paragraph 82) and consistently applied in the Court's subsequent case-law. It had first to be ascertained

whether the provisions defining the offence in issue belonged, according to the legal system of the respondent state, to criminal law, disciplinary law or both concurrently.

The legal basis of the proceedings against Mr Demicoli was provided by section 11 of the ordinance. The applicant argued that the origin of the Maltese law of parliamentary privilege was to be found in United Kingdom law and that breaches of privilege were referred to as crimes in certain textbooks on English law.

As noted by the Commission and the government, breach of parliamentary privilege was not formally classified as a crime in Maltese law. In its judgment of May 16, 1986, the Civil Court ruled that the law that provided for the privileges and contempt of the House (Chapter 179) was not part of the criminal law of the country.

The Constitutional Court, in its judgment of October 13, 1986, did not find it necessary to decide whether the act constituting the contempt or breach of privilege amounted to a criminal act or not.

However, as already noted, the indication afforded by national law was not decisive for the purpose of article 6. A factor of greater importance was the very nature of the offence in question; see *inter alia* the *Campbell and Fell* judgment of June 28 (Series A No 80, p36, paragraph 71) and the *Weber* judgment of May 22, 1990 (Series A, no 177, p18, paragraph 32).

Mr Demicoli was not a member of the House. In the Court's view, the proceedings taken against him in the present case

for an act of that sort done outside the House had to be distinguished from other types of breach of privilege proceedings which could be said to be disciplinary in nature in that they related to the internal regulation of the orderly functioning of the House.

Section 11(1)(k) potentially affected the whole population since it applied whether the alleged offender was a member of the House or not and irrespective of where in Malta the publication of the defamatory libel took place.

For the offence thereby defined, the ordinance provided for the imposition of a penal sanction and not a civil claim for damages. From that point of view, therefore, the particular breach of privilege in question was akin to the criminal offence of defamatory libel under the Maltese Press Act of 1974.

The third criterion was the degree of severity of the penalty that the person concerned risked incurring. The Court noted that in the present case, while the House imposed a fine of 250 Maltese liri on the applicant which had not yet been paid or enforced, the maximum penalty he risked was imprisonment for a period not exceeding sixty days or a fine not exceeding 500 Maltese liri or both. What was at stake was thus sufficiently important to warrant classifying the offence as criminal.

In conclusion, article 6 applied in the present case. B Compliance with article 6(1). The Court, like the Commission, noted that the power of

the Maltese Parliament to impose disciplinary measures and to govern its own internal affairs was not in issue.

Moreover, the Court's task was not to review the relevant law *in abstracto*, but to determine whether the manner in which the proceedings against Mr Demicoli were conducted gave rise to a violation of article 6(1).

According to its case law, a "tribunal" was characterised in the substantive sense of the term by its judicial function, that is to say, determining matters within its competence on the basis of rules of law and after proceedings conducted in a prescribed manner.

It had also to satisfy a series of further requirements: independence, in particular of the executive; impartiality; duration of its members' terms of office; guarantees afforded by its procedures; several of which appeared in the text of article 6(1) itself (see the *Bellos* judgment of April 29, 1988, Series A, No 132, p29, paragraph 64).

In the circumstances of the present case the House of Representatives was undoubtedly exercising a judicial function in determining the applicant's guilt.

The central issue raised was whether the requirement of impartiality was duly respected. For the purposes of article 6(1) that had to be determined according to a subjective test, that is, on the basis of the personal conviction or interest of a particular judge in a given case, and according to an objective test, namely, ascertaining whether the judge offered guarantees sufficient to exclude any

legitimate doubt in that respect. In that context even appearances might be of a certain importance, particularly as far as criminal proceedings were concerned.

The two members of the House whose behaviour in Parliament was criticised in the impugned article and who raised the breach of privilege in the House participated throughout in the proceedings against the accused, including the finding of guilt and, except for one of them who had meanwhile died, the sentencing.

Already, for that reason, the impartiality of the adjudicating body in those proceedings would appear to be open to doubt and the applicant's fears in that connection were justified.

Accordingly, there had been a breach of article 6(1) of the Convention on the point considered. It was therefore not necessary to go into other aspects of that provision.

III Alleged violation of the Convention. The applicant submitted that the resolutions of February 10 and March 4, 1986 placed the burden of proving innocence on the accused and accordingly violated article 6(2) of the Convention.

The Court did not consider it necessary to examine that issue in view of the finding of a violation of article 6(1).

IV Application of article 50. The Court awarded Mr Demicoli a total of 5,000 Maltese liri for his costs and expenses in Malta and before the Convention institutions, and dismissed the remainder of his claim for just satisfaction.

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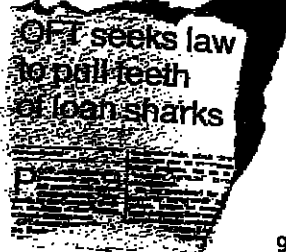
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Titch Wizard can help Lewis land Leicester double

WITH 36 winners in the bag already this season, the Epsom-based trainer Geoff Lewis now needs only another four to reach his target of 40 and thus land a sizeable bet, which would keep everyone happy at the Thrye Acre Barn during the festive run-up to Christmas.

At Leicester today, the stable stands an excellent chance of taking another step towards that goal by winning the Wymeswold Claiming Stakes with the admirable Titch Wizard, who has already excelled himself this term by winning at Warwick (twice), Chester, Pontefract and Lingfield.

However, by the time that good apprentice Francis Norton weighs out to ride Titch Wizard he could well have already won the Whissendine Selling Stakes on stable companion Fluidity, who is taken to make his first contribution now that he has been dropped in class.

Because Titch Wizard is only small, Lewis has put Norton up the last twice he has run so as to lighten his burden by claiming the 5lb allowance.

The play has worked on each occasion, both times with High Cost not far behind in fourth and fifth places. In going nap on Titch Wizard, I think that he will come out on top again, albeit on altered terms.

With only 75t 11lb to carry, Miss Shadowfax could in fact turn out to be the greater danger today.

However Titch Wizard's

MANDARIN

MICHAEL PHILLIPS

most recent performance at Lingfield, where he ran on very well indeed to account for Lady Linnet and Battle Of Britain, strongly suggests that he will be equal to the task of giving Miss Shadowfax the weight.

Having won the EBF Reference Point Maiden Stakes 12 months ago with Opera House, Michael Stoute is now after winning it again, this time with Amethal.

Considering what he was up against at Ascot first time out, I thought that this son of Mr Prospector and Mayson did well enough to suggest that he should make his mark in this company.

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MANDARIN

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One London club defender takes the place of another in Taylor's team to meet Turkey

Mabbutt fills in for Adams in England defence

By STUART JONES, FOOTBALL CORRESPONDENT

EVEN through the thick Buckinghamshire mist, Graham Taylor could see enough evidence yesterday to convince him that he should change his England line-up. Des Walker's central defensive partner for the European championship qualifying tie against Turkey at Wembley tomorrow night will not be Tony Adams, as planned, but Gary Mabbutt.

The England manager arranged an abbreviated practice match at Bisham Abbey partly to test Adams's strained groin and Ian Wright's twisted ankle. Although they themselves had insisted that they would be available, Taylor's suspicions were confirmed. Neither of the Arsenal players was fit enough to be considered. Reluctantly, both agreed with the decision.

Adams's deep-seated injury, which has troubled him for several weeks, is the more serious and requires rest rather than treatment. Since Arsenal visit Manchester United on Saturday and Benfica in the European Cup next week, their captain is unlikely to be offered the ideal cure for a while.

Mabbutt's recall four years after making his last appearance, though merited, is remarkable considering his own medical programme. A

diabetic, he has to give himself four injections of insulin a day as well as checking the level of sugar in his blood three times. On match days, he must be even more vigilant.

During the half-time discussion tomorrow evening, for instance, he will, as usual, be sitting in a corner by himself and examining his blood. He has followed the same rigorous schedule since the illness was first diagnosed 13 years ago, when he was 17, and only once has the system broken down.

The consequences of a faulty reading could have been fatal. Having mistakenly inserted more insulin than he needed, Mabbutt collapsed into a coma on the afternoon of a cup-tie. He recalls philosophically that he missed the game and woke up in the early hours of the next morning in hospital.

"He has had to have a strong character to deal with the diabetes," Taylor said. "It has taught him to look after himself and to be disciplined. After the Germany game last month he was not uppermost in my mind but it is pleasing to be able to reward him."

Mabbutt is accustomed to disappointment. Although he featured in the qualifying stages before the 1986 World Cup and the 1988 European

championship, he was omitted from the squads for both final stages and feared that he might be left with a collection of 13 caps. There is now no need for him to be superstitious.

Brought in nine years ago as a midfield player, his reputation was built on his versatility. He has filled five different roles for his country and every outfield position for his club but, for the last five years, he has been recognised at Tottenham as a central defender.

"Some may be quicker and taller," Taylor said, "but, at international level, the ball is not thrown into the area as often as in the League. Besides, he makes up for that with his positional sense and his experience. I didn't want to introduce a newcomer against the Turks."

Mabbutt recognises that the resumption of his international career may be brief but it promises to reinforce his case when he seeks a renewal of his five-year contract with Tottenham. It is scheduled to end this season. "If I wanted to go, I would have gone in 1987 when I had the chance to join Liverpool," he said.

He will be the fifth member aged 30 or more in the probable line-up. Another, Robson, has benefited from his first summer break for 14 years and trusts that he will not again be singled out for criticism should the collective performance fall below expectations, as against the Republic of Ireland in March.

"I hope that I haven't been built up to be knocked down," he said, "and that I'm back for more than one game." He reaffirmed his ambition to gain the nine more caps he will require to reach 100 but he appreciates that his future will be extended only if England qualify.



Missing out: Taylor tells Adams that he is not fit enough for Wembley

Key players missing

THREE key players were missing because of injury when Turkey arrived in London yesterday for tomorrow's European championship qualifier against England at Wembley.

The absentees were the midfield player, Ugur Tutuneker, and forwards, Ridvan Dilmen and Erdal

Keser. "It will be a very, very difficult game. Turkey have always had scoring problems against England and conceded many goals," their coach, Sepp Piontek, said.

TURKEY SQUAD: H Demirel, E Hagoğlu, B Korhan, O Kaya, M Mandirli, T Karimoglu, R Calimbay, R Celik, M Ozcelik, F Ucar, T Sahinoglu, O Celik, U Birci, U Kahrman, O Temizkocoglu, O Ciftci, C Alp, A Bektas.

Managers charged

THE managers of two of Scotland's leading football clubs have been charged with breach of the peace, it was disclosed yesterday. The action against Walter Smith, of Rangers, and Alex Totten, of St Johnstone, follows an alleged incident in the players' tunnel half way through Saturday's match at Perth.

Becky Bott, the deputy procurator fiscal at Perth, said her office had received a police report on the matter and confirmed: "Both managers were charged with breach of the peace."

Welsh are warned about Binz

From CLIVE WHITE
IN NUREMBERG

MARK well the name of Manfred Binz. The new libero of the German team is the player whom Terry Yorath, the Wales manager, has singled out as the player who could be either the biggest threat to Wales's chances of qualifying for the finals of the European football championship here tomorrow, or their greatest ally.

Yorath was particularly taken with the Eintracht Frankfurt player on his return to the German team in the 1-0 win over England at Wembley last month. But Yorath detected uncharacteristic indiscipline in Binz's deployment of Binz, which he intends to punish if the Germans have not rectified it since.

When Binz made forward runs, Yorath noticed that the Germans failed to cover for him effectively in defence. It was just such a lapse by Germany in Cardiff last June which allowed Rush to break through for the only goal of the game. And Wales must ensure that he and Saunders are alert to similar opportunities on this occasion.

By the same token, Binz's

excursions into the Welsh half could catch a defence — with Klinsmann and Voller uppermost in their minds — by surprise. "If our players start chasing the ball, Binz then becomes the most important cog in the wheel for them," Yorath said. "We'll have bodies flying all over the place, and he'll be stroking through us because nobody will pick him up."

Wales, who need a draw to make qualification a near certainty, are in for a long evening with their backs fixed firmly to the wall. Yorath believes the decision by Bertie Vogts, the German coach, to

omit Klinsmann from some of their recent games has "re-kindled his fire", and he said he had never seen Voller play better than recently for AS Roma against Lazio.

The injuries suffered to the defenders, Aizlewood — "a man amongst men" — and Phillips, therefore, could hardly have come at a more inopportune moment for Wales. Yorath will probably leave it as late as possible to decide on Phillips's replacement. Young, the Crystal Palace central defender, has, at least, made a timely return from a protracted injury to take over from Aizlewood.

However, it would appear certain that Galloway, the Celtic midfielder, is about to make his entry on to a larger stage.

Roxburgh looking for a little luck

From RODDY FORSYTH
IN BUCHAREST

ASKED yesterday if there was anything else he could do to prepare his Scotland football players for their European championship qualifying tie against Romania here tomorrow night, the Scottish coach, Andy Roxburgh, said: "Aye, buy a bunch of lucky white heather."

Inured by bleak experience to such situations, even Rox-

burgh was forced to concede that this is probably the most depleted squad he has ever led abroad. Yet under circumstances, which would induce nervous stress in less pugnacious characters, he remained remarkably cheerful.

"I'm still optimistic about it because we have overcome this kind of thing so often," he said. "There is no doubt that this is the worst I have ever had to cope with since I took over. We have got maybe 12

fit players available to us at the moment; in fact, I don't think any of our players don't have a knock of some kind."

"You expect this because of the demands which are made on our players at this time of year. The other home countries had the day off on Saturday but not us. This is why we don't run a team system and why we prefer a squad system."

The thin state of his available resources meant that,

yesterday, it was almost possible to guess tomorrow's team. Roxburgh, as is his custom, will still delay announcing his selection until the last possible moment as much to give fringe candidates a chance to prove their fitness as to budget for the possibility of new injuries.

However, it would appear certain that Galloway, the Celtic midfielder, is about to make his entry on to a larger stage.

The thin state of his available resources meant that,

Samoans gain hearing over Keenan's ban

By ALAN LORIMER



More rugby, page 46

WESTERN Samoa have been granted a hearing over the one-match suspension imposed on their lock, Mata'afa Keenan, who was sent off, together with Pedro Sporleder, of Argentina, in the Rugby World Cup match at Pontypridd on Sunday. All evidence considered by the original disciplinary panel at Pontypridd yesterday will be reviewed in London tomorrow.

The appeal will be presented to a three-man panel, chaired by the Rugby World Cup director, Sir Ewart Bell, at a time and place to be decided.

Yesterday, after the Western Samoans had arrived in Edinburgh, Tate Simi, their manager, said that he had lodged the appeal within four hours of the incident.

Yesterday, he said that no written confirmation of the tribunal's decision had been given to him. "All I received was a verbal message by telephone from Denis Evans, one of the members of the three-man tribunal," he said.

If that seemed irregular then, according to Simi, so did the constitution of the tribunal. "The three-man panel sat by themselves and the two managers involved were not invited to be part of it. Instead, we were summoned as though we were witnesses at a case hearing," he added.

The broad thrust of the appeal concerns not only the constitution of the tribunal, which Simi feels may invalidate its decision, but also the harshness of the sentence. "We feel that the sending off was quite sufficient, the more so in the light of the referee's report that it was the Argentinian player who threw the first punch. I have no quibble with the referee's decision."

He did, however, have some criticism for referees in a wider respect. "Some of the seeded teams have not been producing the rugby expected of them and perhaps that is a problem of the referees not

allowing the games to flow. Referees are being too pedantic in some aspects of the law, especially with regard to Law 18 and the question of falling on the loose ball."

Despite the unsatisfactory position of not knowing whether Keenan will be allowed to play on Saturday, the mood in the Samoan camp was one of optimism. "We believe we have a 50-50 chance of beating Scotland," Peter Fataiofa, the captain, said.

Scotland, meanwhile, have moved out of Edinburgh to their retreat at St Andrews, where yesterday the players relaxed on the golf course. They name their side on Thursday.

While the Samoans have been praised for their quick-thinking on the field, the same might be said for their manager off the turf.

Simi, a burly former boxer, spotted an intruder walking out of their hotel in Cardiff wearing a team tracksuit, apprehended the man and, while staff called the police, discovered a drunken accomplice sleeping upstairs, surrounded by televisions and video-recorders taken from other rooms.

"The tracksuit belonged to our flanker, Apollo Perelini. He's the player who tackled Wales into the ground at Cardiff Arms Park. If he had spotted the thief he would have been a bit more forceful than I was," Simi added.

Later two men were released on bail for a week by Cardiff magistrates, accused of burglary at the hotel.

English followers head for France

By PETER BILLS

SOME 60 English rugby supporters yesterday snapped up tickets for the World Cup quarter-final between France and England on Saturday at £35 apiece. They may prove to be the bargain of the week.

The tickets, offered by a London agency, were for seats behind the posts at the Parc des Princes in Paris and are the only ones priced below £50 likely to be available this week. As interest in the match grew yesterday, agencies reported plenty more tickets available, but at £60 upwards.

That sum would also buy seats behind the posts at either end of the Parc des Princes. The best seats overlooking the halfway line are on offer at £125 each at present, but, with demand expected to intensify by the weekend, prices may rise.

One London dealer reported holding a large amount of seats for Paris, in excess of 400 when business opened yesterday morning. By lunchtime he reported 200 sold at £75 each.

Meanwhile, the Mike Burton Management Company was offering an all-in package, including two nights' accommodation in a four-star hotel and match tickets, for £335. A

pair of tickets for the game, without the hotel, would be £250. Burton quoted a similar sum for two tickets at the quarter-finals in Edinburgh and Dublin.

None of the authorities at the grounds where the quarter-finals will be held could offer tickets for hopeful supporters. A spokesman for the Irish Rugby Football Union at Lansdowne Road said: "We do not have any tickets left and don't expect to get any sent back. Interest for the Ireland v Australia game is building up rapidly."

Best seats offered by London dealers for the Dublin match were priced at £120, the cheapest at £75. A pair for the Scotland v Western Samoa game was priced at £150, with others on offer at £115.

The New Zealand v Canada match in Lille was looking the best bet for any floating supporters keen to see a match live but not concerned as to which one. One London agent reported "not much demand" for the Lille quarter-final, which means that there is likely to be an excess of tickets for the match. It should be possible to buy them at a reasonable price outside the stadium on the day.

Lyle is back on course to conquer the world

By MITCHELL PLATT
GOLF CORRESPONDENT

THERE have been few better role models in his chosen profession than Sandy Lyle, whose return to winning form in the BMW Open on Sunday will be warmly welcomed by everyone.

Lyle's astonishing slump placed a heavy burden on him. Yet he not only allowed his frustration to get the better of him. Instead, he digested all the disappointments rather than diverting the blame on others.

What made it all the more testing was that he had, for a time, been the best golfer in the world. Nobody could have imagined that the master golfer of 1988 would that same year beat Nick Faldo in the World Match Play Champ-

ionship final and then go three years and three days before winning again.

Yet it happened, and Lyle dropped down the world and European rankings. The first sign of his decline came at Augusta in April 1989 when, on the eve of defending the Masters, he said he did not want to make a fool of himself. He turned out to be something of a soothsayer.

He had rounds of 77 and 76, and endured the embarrassment of missing the halfway cut, but was compelled to remain in town to put the green jacket on the new champion. Ironically, it was Faldo, with whom he has been rivals throughout his career.

Lyle, who had won the Open in 1985, returned home wondering if his worst fears

were about to be realised. "I always had this nagging thought that something bad was going to happen in my career," he said. "I knew there were flaws in the swing."

That concern led to him withdrawing from Europe's Ryder Cup team as he searched for a solution to his troubles. He plummeted to 59th in the 1990 Volvo Order of Merit. His enthusiasm evaporated and the future looked bleak.

Lyle's demise coincided with the rise of Ian Woosnam. The Welshman, with whom Lyle had played junior golf in Shropshire, confirmed his No. 1 ranking by winning the Masters eight months ago.

At times, however, Woosnam has struggled to handle the pressure of being

the No. 1 golfer in the world. The public support for both Faldo and Woosnam has been questioned, whereas Lyle has not once let down his supporters in terms of attitude.

Even in Munich, where he led from start to finish, Lyle was concerned that first and foremost he would not allow the pressure to affect his demeanour. Before teeing off in the last round, he wrote himself a note to the effect that he would keep smiling even if he failed to win.

That sums up the man. Lyle is well aware at all times that he has a duty to the sport. He wants to be a winner but knows the importance of accepting defeat with good grace. It is an attribute that others would do well to emulate.

Whether this win will provide the springboard for Lyle, aged 33, to win other major championships remains to be seen. He will have to wait until the Volvo Masters next week before teeing up again because he is not among the elite 12 in the World Match Play Championship, which starts at Wexham on Thursday.

Yet both Woosnam, the defending champion, and Faldo will know that Lyle is back to challenge them again. It is a challenge they will welcome and it will be interesting to monitor their response. What happened in Munich emphasised, without doubt, that you can be a nice guy and a champion.



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Lyle: a winner again